

# federal register

WEDNESDAY, OCTOBER 6, 1971

WASHINGTON, D.C.

Volume 36 ■ Number 194

Pages 19431-19484



## PART I

(Part II begins on page 19471)

### HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

**LABOR DISPUTES AFFECTING THE MARINE INDUSTRY**—Presidential Executive order creating Board of Inquiry..... 19435

**ECONOMIC STABILIZATION**—OEP temporary supplementary guidelines for application; effective 10-6-71..... 19440

**EXPORTS**—Commerce Dept. miscellaneous amendments; effective 10-7-71..... 19437

#### TELECOMMUNICATIONS—

FCC extension of comment time to 10-11-71 on proposed changes in FM Table of Assignments ..... 19442

FCC proposal on non prime-time exceptions to the program exclusivity rule; comments by 11-8-71 ..... 19442

**HELICOPTER PROCUREMENT**—Justice Dept. guidelines; comments by 10-22-71..... 19444

**ENVIRONMENT**—Interior Dept. notice of availability of draft impact statement for Geothermal Leasing Program ..... 19447

**BUTTER**—USDA revision of sales price in Monthly Sales Lists (2 documents)..... 19447

**SHIPPING**—Commerce Dept. list of free world and Polish flag vessels arriving in Cuba..... 19447

**HERBICIDE**—EPA notice of temporary tolerance.. 19453

**PESTICIDES**—EPA notice of review of products containing Chlordane and Heptachlor; comments within 60 days..... 19453

# MICROFILM EDITION FEDERAL REGISTER 35mm MICROFILM

**Complete Set 1936-70, 189 Rolls \$1,342**

Vol.	Year	Price	Vol.	Year	Price	Vol.	Year	Price
1	1936	\$7	13	1948	\$28	25	1960	\$49
2	1937	12	14	1949	22	26	1961	44
3	1938	8	15	1950	28	27	1962	46
4	1939	14	16	1951	44	28	1963	50
5	1940	14	17	1952	41	29	1964	54
6	1941	21	18	1953	30	30	1965	58
7	1942	37	19	1954	37	31	1966	60
8	1943	53	20	1955	41	32	1967	69
9	1944	42	21	1956	42	33	1968	55
10	1945	47	22	1957	41	34	1969	62
11	1946	47	23	1958	41	35	1970	59
12	1947	24	24	1959	42			

Order Microfilm Edition from Publications Sales Branch  
National Archives and Records Service  
Washington, D.C. 20408



Area Code 202

Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$2.50 per month or \$25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

# Contents

## THE PRESIDENT

### EXECUTIVE ORDER

Creating a Board of Inquiry to report on certain labor disputes affecting the maritime industry. 19435

## EXECUTIVE AGENCIES

### AGRICULTURE DEPARTMENT

See Commodity Credit Corporation; Consumer and Marketing Service.

### ATOMIC ENERGY COMMISSION

#### Notices

Applications for construction permits and facility licenses; time for submission of views on antitrust matter:  
Pacific Gas and Electric Co. 19451  
Washington Public Power Supply System 19452

### CIVIL AERONAUTICS BOARD

#### Notices

##### Hearings, etc.:

Air Wisconsin Inc., and Viking International Airfreight, Inc. 19452  
British Overseas Air Charter Ltd 19453  
Eastern Air Lines, Inc. 19453

### CIVIL SERVICE COMMISSION

#### Rules and Regulations

##### Excepted service:

General Services Administration 19437  
Interior Department 19437

#### Notices

Financial analyst, Office of Accounting and Finance, Division of Finance and Statistics, Federal Power Commission; manpower shortage; notice of listing 19453

### COMMERCE DEPARTMENT

See Import Programs Office; International Commerce Bureau; Maritime Administration.

### COMMODITY CREDIT CORPORATION

#### Notices

Butter; revision of monthly sales list (2 documents) 19447

### CONSUMER AND MARKETING SERVICE

#### Rules and Regulations

Tomatoes grown in Florida; expenses and rate of assessment 19437

#### Proposed Rule Making

Filberts grown in Oregon and Washington; proposed expenses and rate of assessment 19442

### EMERGENCY PREPAREDNESS OFFICE

#### Rules and Regulations

Economic Stabilization; supplementary guidance for application 19440

### ENVIRONMENTAL PROTECTION AGENCY

#### Notices

Herbicide; temporary tolerances. 19453  
Pesticides; review of products containing chlordane and heptachlor 19453

### FEDERAL COMMUNICATIONS COMMISSION

#### Rules and Regulations

Organization and operations; miscellaneous amendments 19438

#### Proposed Rule Making

Telecommunications:  
Extension of time for comment on FM table of assignments 19442  
Proposed nonprime-time exceptions to program exclusivity rule 19442

### FEDERAL MARITIME COMMISSION

#### Notices

Certain Hawaiian stevedoring companies; extension of expiration date of agreement 19456  
Certificates of financial responsibility (oil pollution); issuance 19454  
Indian Affairs Bureau; denial of exemption 19455

### FEDERAL POWER COMMISSION

#### Proposed Rule Making

Accounting for premium, discount and expense of issue, gains and losses on refunding and reacquisition of long-term debt, and interperiod allocation of income taxes; extension of time 19443

#### Notices

##### Hearings, etc.:

Columbia LNG Corp. 19456  
Georgia Power Co. 19457  
Lone Star Gas Co. 19457  
North Penn Gas Co. 19457  
Transwestern Pipeline Co. 19458

### FEDERAL RESERVE SYSTEM

#### Notices

Missouri Bancshares, Inc.; application for approval of acquisition of shares of bank 19458

### FISCAL SERVICE

#### Notices

Surety companies acceptable on Federal bonds:  
Mission Insurance Company 19444  
Rural Mutual Insurance Company 19444

### GEOLOGICAL SURVEY

#### Notices

Red River, New Mexico; power site cancellation 19446

### IMPORT PROGRAMS OFFICE

#### Notices

Applications for duty-free entry of scientific articles; decision (6 documents) 19450, 19451

### INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

#### Notices

Applications for renewal of permits; opportunity for public hearing:  
Hazel Dell Coal Corp. 19458  
Imperial Smokeless Coal Co. 19459  
Peerless Eagle Coal Co. 19459

### INTERIOR DEPARTMENT

See also Geological Survey; Land Management Bureau.

#### Rules and Regulations

Procurement by formal advertising and procurement of construction contracts 19438

#### Notices

Geothermal leasing program; availability of draft environmental statement 19447

### INTERNATIONAL COMMERCE BUREAU

#### Rules and Regulations

Export regulations; miscellaneous amendments 19437

### INTERSTATE COMMERCE COMMISSION

#### Notices

Assignment of hearings 19467  
Motor carrier applications and certain other proceedings 19460  
Motor carrier intrastate applications 19466  
Motor carrier transfer proceedings 19467  
Rerouting or diversion of traffic:  
Atchinson, Topeka and Santa Fe Railway Co. 19468  
Penn Central 19468  
Penn Central Transportation Co 19468

### JUSTICE DEPARTMENT

See Law Enforcement Assistance Administration.

(Continued on next page)

**LAND MANAGEMENT BUREAU****Notices**

- Montana; opening of public lands. 19446  
 Proposed withdrawal and reservation of lands:  
   Idaho (2 documents) ..... 19445, 19446  
   Utah ..... 19446

**LAW ENFORCEMENT ASSISTANCE ADMINISTRATION****Notices**

- Helicopter procurement guidelines ..... 19444

**MARITIME ADMINISTRATION****Notices**

- List of free world and Polish flag vessels arriving in Cuba since January 1, 1963 ..... 19447

**OVERSEAS PRIVATE INVESTMENT CORPORATION****Notices**

- Contracting officers; delegation of authority ..... 19459

**POSTAL SERVICE****Rules and Regulations**

- Organization statements; restatement of Headquarters and Regional Organization ..... 19472-19484

**SECURITIES AND EXCHANGE COMMISSION****Notices**

- North American Resources Corp.; order suspending trading ..... 19459

**SMALL BUSINESS ADMINISTRATION****Notices**

- Capital Formation MESBIC, Inc.; issuance of license ..... 19460  
 Manager, Disaster Branch Office, Corpus Christi, Tex.; delegation of authority ..... 19460  
 Opportunity Capital Corporation of California; issuance of license ..... 19459

**TARIFF COMMISSION****Notices**

- Workers' petitions for determination of eligibility to apply for adjustment assistance:  
   Beaunit Corp. .... 19460  
   Seymour Shoes, Inc. .... 19460

**TREASURY DEPARTMENT**

See Fiscal Service.

**List of CFR Parts Affected**

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1971, and specifies how they are affected.

**3 CFR****EXECUTIVE ORDER:**

- 11621 ..... 19435

**5 CFR**

- 213 (2 documents) ..... 19437

**7 CFR**

- 966 ..... 19437

**PROPOSED RULES:**

- 982 ..... 19442

**15 CFR**

- 374 ..... 19437  
 376 ..... 19437  
 379 ..... 19437

**18 CFR****PROPOSED RULES:**

- 101 ..... 19443  
 104 ..... 19443  
 105 ..... 19443  
 141 ..... 19443  
 201 ..... 19443  
 204 ..... 19443  
 205 ..... 19443  
 260 ..... 19443

**32A CFR****OEP (Ch. I):****ES Reg. 1:**

- Circ. 19 ..... 19440

**39 CFR**

- 211 ..... 19472  
 212 ..... 19473  
 213 ..... 19475  
 222 ..... 19476  
 223 ..... 19480  
 235 ..... 19483  
 821 ..... 19484

**41 CFR**

- 14-2 ..... 19438  
 14-18 ..... 19438

**47 CFR**

- 0 ..... 19438  
 1 ..... 19438  
 13 ..... 19440

**PROPOSED RULES:**

- 73 ..... 19442  
 74 ..... 19442

# Presidential Documents

## Title 3—The President

### EXECUTIVE ORDER 11621

#### Creating a Board of Inquiry To Report on Certain Labor Disputes Affecting the Maritime Industry of the United States

WHEREAS, there exist certain labor disputes between employers (or associations by which such employers are represented in collective bargaining conferences) who are (1) steamship companies operating ships or employed as agents for ships engaged in service from or to Atlantic, Pacific, Great Lakes, and Gulf Coast ports of the United States, or from or to other ports of the United States or its territories or possessions, (2) contracting stevedores, (3) contracting marine carpenters, (4) lighterage operators, or (5) other employers engaged in related or associated pier activities, and certain of their employees represented by the International Longshoremen's Association, AFL-CIO, and the International Longshoremen's and Warehousemen's Union; and

WHEREAS, such disputes have resulted in strikes on Pacific, Atlantic, Great Lakes, and Gulf Coast ports of the United States which if permitted to continue will, in my opinion, affect a substantial part of the maritime industry, and industry engaged in trade, commerce, transportation, transmission, or communication among the several States and with foreign nations, and will imperil the national health and safety.

NOW, THEREFORE, by virtue of the authority vested in me by Section 206 of the Labor-Management Relations Act, 1947 (61 Stat. 155; 29 U.S.C. 176), I hereby create a Board of Inquiry, consisting of:

J. Keith Mann, Chairman

Morris L. Myers

Paul Hanlon

Jacob Seidenberg

Rolf Valtin

as Members, whom I hereby appoint to inquire into the issues involved in such disputes.

The Board shall have powers and duties as set forth in Title II of such Act. The Board shall report to the President in accordance with the provisions of Section 206 of such Act on or before October 6, 1971.

Upon the submission of its report, the Board shall continue in existence to perform such other functions as may be required under such Act.



THE WHITE HOUSE,  
October 4, 1971.

[FR Doc.71-14763 Filed 10-5-71;10:20 am]



# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

#### PART 966—TOMATOES GROWN IN FLORIDA

##### Expenses and Rate of Assessment

Notice of rule making regarding the proposed expenses and rate of assessment to be effective under Marketing Agreement No. 125 and Order No. 966 both as amended (7 CFR Part 966, was published in the September 9, 1971, issue of the FEDERAL REGISTER (36 F.R. 18095, 18656). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than the 15th day after publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters, including the proposals set forth in the aforesaid notice which were recommended by the Florida Tomato Committee, established pursuant to the said marketing agreement and order, it is hereby found and determined that:

##### § 966.208 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period August 1, 1971, through July 31, 1972, by the Florida Tomato Committee for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate will amount to \$111,000.00.

(b) The rate of assessment to be paid by each handler in accordance with the Marketing Agreement and this part shall be three-fourths of a cent (\$.0075) per 40-pound container of tomatoes, or equivalent quantity, handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending July 31, 1972, may be carried over as a reserve.

(d) Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal

period shall be applicable to all assessable tomatoes from the beginning of such period, and (2) the current fiscal period began August 1, 1971, and the rate of assessment herein will automatically apply to all assessable tomatoes beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Dated: September 30, 1971.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[FR Doc.71-14623 Filed 10-5-71;8:47 am]

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Department of the Interior

Section 213.3312 is amended to show that two positions of Assistant to the Commissioner, Bureau of Indian Affairs, are no longer excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER, subparagraph (1) of paragraph (j) § 213.3312 is amended as set out below.

##### § 213.3312 Department of the Interior.

(j) *Bureau of Indian Affairs.* (1) One Assistant to the Commissioner.

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
Executive Assistant to the Commissioners.

[FR Doc.71-14625 Filed 10-5-71;8:45 am]

#### PART 213—EXCEPTED SERVICE

##### General Services Administration

Section 213.3337 is amended to show that one position of Special Assistant to the Commissioner, Property Management and Disposal Service, is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER, subparagraph (3) is added to paragraph (f) of § 213.3337 as set out below.

##### § 213.3337 General Services Administration.

(f) *Property Management and Disposal Service.* \* \* \*

(3) One Special Assistant to the Commissioner.

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
Executive Assistant to the Commissioners.

[FR Doc.71-14624 Filed 10-5-71;8:45 am]

## Title 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of International Commerce, Department of Commerce

#### SUBCHAPTER B—EXPORT REGULATIONS

#### REEXPORT AUTHORIZATION FOR COMMODITIES EXPORTED UNDER GENERAL LICENSE

##### Miscellaneous Amendments

Thirteenth Gen. Rev. of the Export Regulations (Amdt. 27), Parts 374, 376, and 379 are amended to read as set forth below.

Effective date: October 7, 1971.

RAUER H. MEYER,  
Director,  
Office of Export Control.

#### PART 374—REEXPORTS

1. In § 374.3(d) (1) (i), (b) is amended by deleting Malaysia and Thailand.

#### PART 376—SPECIAL COMMODITY POLICIES AND PROVISIONS

2. Section 376.4 *Nickel commodities*, is deleted.

#### PART 379—TECHNICAL DATA

3. Section 379.4(e) (1) (iii) is amended by deleting (o) and by adding the following (gg), (hh), and (ii) to read as follows:

(gg) Nickel-based alloys (i.e., containing a higher percentage, by weight, of nickel than any other element), including scrap, tube fittings, and pipe fittings thereof, containing: (1) More than 3 percent (by weight) of titanium and/or aluminum in any combination; or (2) more than 8 percent (by weight) of molybdenum, tungsten, and/or niobium in any combination (Export Control Commodity Nos. 28, 683, 6988, 6989, 723, and 7299).

(hh) Cobalt-based alloys (i.e., containing a higher percentage, by weight, of cobalt than any other element), including scrap thereof, containing: (1) More

than 5 percent (by weight) of tungsten, molybdenum, and/or tantalum, separately or in any combination; and (2) not more than 1 percent (by weight) of carbon (Export Control Commodity Nos. 6895, 6988, and 6989).

(ii) Magnetic materials, other than those specified in Interpretation 6(a), that meet all of the following: (1) Consist principally of aluminum, nickel, and cobalt; (2) are capable of an energy product in the range of 4.0 times 10<sup>6</sup> gauss-oersteds; and (3) have a coercive force in the range of from 1,500 oersteds up to and including 1,800 oersteds (Export Control Commodity Nos. 28, 683, 6895, 6989, and 7299).

4. In § 379.4(e) (1) (v), (a) is amended to read as follows:

(a) Activated carbon catalysts usable in petroleum and chemical processing operations (Export Control Commodity No. 59) and catalysts usable in petroleum and chemical processing operations, except hydrocracking catalysts and catalysts usable in the ultrapurification of hydrogen (Export Control Commodity Nos. 512, 513, and 514).

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

[FR Doc.71-14638 Filed 10-5-71;8:48 am]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 14—Department of the Interior

#### PART 14-2—PROCUREMENT BY FORMAL ADVERTISING

#### PART 14-18—PROCUREMENT OF CONSTRUCTION CONTRACTS

##### Awards

Pursuant to the authority of the Secretary of the Interior, contained in 5 U.S.C. 301, Parts 14-2 and 14-18 of Chapter 14, Title 41 of the Code of Federal Regulations are hereby amended as set forth below.

It is the general policy of the Department of the Interior to allow time for interested parties to take part in the rulemaking process. However, the new Subpart (14-18.2) and the new sections (§ 14-2.407-1 and § 14-18.208) contained herein are minor and entirely administrative in nature. Therefore, the public rulemaking process is waived and these additions will become effective upon publication in the FEDERAL REGISTER (10-6-71).

WARREN F. BRECHT,  
Deputy Assistant Secretary  
of the Interior.

SEPTEMBER 29, 1971.

#### Subpart 14-2.4—Opening of Bids and Award of Contract

Subpart 14-2.4 is amended by the addition of § 14-2.407-1.

#### § 14-2.407 Award.

##### § 14-2.407-1 General.

At least 72 hours (48 hours for contracts between \$10,000 and \$1 million) prior to any other announcement regarding the proposed date of award of any contract of \$1 million or more, the following information shall be furnished simultaneously to the Assistant Secretary having jurisdiction over the bureau or office making the award and the Director of Congressional Liaison:

1. Name and street address of contractor

2. Complete description in layman terms of items or services involved and exact location of contract performance

3. Small business or distressed labor area preference given to successful bidder, if applicable

4. Proposed date of award.

Contract amendments exceeding \$10,000 and providing for a fundamental alteration in the project are subject to the above requirements.

Part 14-18 is amended by the addition of Subpart 14-18.2 and § 14-18.208.

#### Subpart 14-18.2—Formal Advertising

##### § 14-18.208 Award.

See § 14-2.407-1 relative to advance notices required prior to making contract award.

[FR Doc.71-14614 Filed 10-5-71;8:47 am]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

#### ORGANIZATION AND OPERATIONS

##### Editorial Amendments

*Order.* Editorial amendment of Parts 0, 1, and 13 of the Commission's rules and regulations.

Preparatory to the reprinting of the revised edition of Volume I of the Commission's rules and regulations, numerous editorial changes were made in Parts 0, 1, and 13. Adoption of these changes is desirable in order to clarify the rules, delete obsolete material, and improve them from an editorial standpoint.

Since the changes are editorial in nature, the prior notice and effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 553) are not applicable. The changes in the appendix are included in the revised edition of Volume I which will be available from the Superintendent of Documents, U.S. Government Printing Office, after December 1, 1971.

*Accordingly, it is ordered,* Pursuant to authority contained in sections 4(i), 5(d), and 303(r) of the Communications Act of 1934, as amended, and § 0.231(d) of the Commission's rules and regulations, That effective October 15, 1971, Parts 0, 1, and 13 are amended as set forth below.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

Adopted: September 28, 1971.

Released: October 4, 1971.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] JOHN M. TORBET,  
Executive Director.

Parts 0, 1, and 13 of Chapter I, Title 47 of the Code of Federal Regulations are amended as follows:

#### PART 0—COMMISSION ORGANIZATION

1. In § 0.5, paragraphs (a), (b) (1) and (3), are amended and (b) (5), (6), and (7) are deleted. The amended paragraphs read as follows:

§ 0.5 General description of Commission organization and operations.

(a) *Principal staff units.* The Commission is assisted in the performance of its responsibilities by its staff, which is divided into the following principal units:

- (1) Office of Executive Director.
- (2) Office of Chief Engineer.
- (3) Office of General Counsel.
- (4) Broadcast Bureau.
- (5) Common Carrier Bureau.
- (6) Safety and Special Radio Services Bureau.
- (7) Field Engineering Bureau.
- (8) Cable Television Bureau.
- (9) Office of Hearing Examiners.
- (10) Review Board.
- (11) Office of Opinions and Review.

(b) *Staff responsibilities and functions.* \* \* \*

(1) *The Executive Director.* The Executive Director is directly responsible to the Commission, works under the supervision of the Chairman, and assists him in carrying out the Commission's organizational and administrative responsibilities. His principal role is to see that other staff units work together and promptly dispose of the matters for which they are responsible. He is directly responsible for internal administrative matters and supervises implementation of the Public Information Act of 1966.

(3) *The operating bureaus.* The principal work load operations of the Commission are conducted by the five operating bureaus.

(i) Four of these bureaus: The Broadcast Bureau, Common Carrier Bureau, Safety and Special Radio Services Bureau, and Cable Television Bureau—exercise primary responsibility in the four principal areas of regulation into which the Commission has divided its responsibilities. The Broadcast Bureau, as its name indicates, is responsible for the regulation of broadcast stations (see Part 73 of this chapter) and related facilities (see Part 74). The Common Carrier Bureau is responsible for the regulation of communications common carriers whether carriage involves the use of wire or radio facilities (see Parts 21-67). The Safety and Special Radio Services Bureau is responsible for the regulation of all other radio stations



with minor exceptions (e.g., experimental stations licensed under Part 5). These include amateur stations and numerous other categories of stations engaged in communication for safety, commercial or personal purposes (see Parts 81-99). The Cable Television Bureau is responsible for the regulation of community antenna television systems and community antenna relay stations (see Subparts J and K of Part 74 of this chapter). The licensing of related microwave radio facilities is coordinated with the Cable Television Bureau by the Common Carrier Bureau and the Safety and Special Radio Services Bureau. Within its area of responsibility, each of these bureaus is responsible for developing and implementing a regulatory program; for processing applications for radio licenses or other filings; for the consideration of complaints and the conduct of investigations; for participation in Commission hearing proceedings as appropriate; and for the performance of such other functions as may be related to its area of responsibility.

(ii) The fifth operating bureau: The Field Engineering Bureau—maintains field offices and monitoring stations throughout the United States. It is responsible for detecting violations of regulations pertaining to the use of radio and, in this connection, monitors radio transmissions, periodically inspects stations, and investigates complaints of radio frequency interference. It issues violation notices to the station in question, thereby affording it an opportunity to take corrective measures. If formal enforcement action is appropriate, the proceedings are conducted by the staff unit which exercises primary responsibility over the station in question—usually one of the other operating bureaus. The Field Engineering Bureau, in addition, exercises responsibility over commercial radio operator matters. (see Part 13 of this chapter), antenna structures (see Part 17), and the use of radio for purposes other than communication (see Part 18). It also conducts amateur operator examinations.

2. The undesignated center heading preceding § 0.85, the headnote and introductory text of § 0.85 are amended to read as follows:

**CABLE TELEVISION BUREAU**

**§ 0.85 Functions of the Bureau.**

The Cable Television Bureau assists, advises and makes recommendations to the Commission with respect to the development of a regulatory program for community antenna television systems and related private and common carrier microwave radio facilities. The Bureau performs the work and activities involved in the implementation of the Commission's regulatory program as it pertains to the regulation of community antenna television systems (see Subpart K, Part 74 of this chapter); and performs the work and activities involved in the licensing and regulation of Community Antenna Relay stations, after coordination with the Broadcast Bureau (see Subpart

J, Part 74). The licensing and regulation of related common carrier microwave facilities are coordinated with the Bureau by the Common Carrier Bureau (see Subpart I, Part 21). The licensing and regulation of related microwave facilities in the Business Radio Service are coordinated with the Bureau by the Safety and Special Radio Services Bureau (see Subpart L, Part 91). The Bureau performs the following functions:

3. The undesignated center heading preceding § 0.289 and the introductory text of paragraph (a), paragraph (b), and the introductory text of paragraph (c) of § 0.289 are amended to read as follows:

**CABLE TELEVISION BUREAU**

**§ 0.289 Authority delegated.**

(a) The Chief, Cable Television Bureau, in coordination with the Broadcast Bureau, is delegated authority to act upon the following applications for Community Antenna Relay station authorizations, if such authorizations comply fully with the requirements of the Communications Act, the provisions of this chapter (see, in particular, Subpart J of Part 74 of this chapter), and Commission policy and standards; if no mutually exclusive application has been filed; and if no petition to deny or other substantial objection to the application has been filed:

(b) All minutes of actions taken by the Chief of the Cable Television Bureau pursuant to the authority delegated in this section shall be maintained for public inspection by the Cable Television Bureau.

(c) The Chief, Cable Television Bureau, is delegated authority to act upon the following matters:

**§ 0.331 [Amended]**

4. In § 0.331(b), subparagraphs (15) and (20) are amended by substituting "Hz" for "Mc/s" where it appears.

**§ 0.332 [Amended]**

5. In § 0.332(g), "kHz" is substituted for "kc/s".

6. In § 0.401(a), subparagraph (2) is amended to read as follows:

**§ 0.401 Location of Commission offices.**

(a) \* \* \*

(2) Hand-carried applications accompanied by a filing fee should be delivered to:

Fees Section, Office of Executive Director,  
1919 M Street NW., Washington, DC.

7. Section 0.403 is amended to read as follows:

**§ 0.403 Office hours.**

The main offices of the Commission are open from 8 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. The Secretary's office, the Mail Branch, and the Fees Section, Office of the Executive Director, will remain open until 5

p.m. to receive documents filed with the Commission. The Public Information Officer's office will also remain open until 5 p.m.

**§§ 0.431, 0.432, 0.433, and 0.434 [Amended]**

8. In §§ 0.431, 0.432, 0.433, and the introductory text of § 0.434, reference to "Cooper Trent, Inc." is amended to read "Cooper Trent/Keuffel & Esser Co."

9. Section 0.455(d) is revised to read as follows:

§ 0.455 Other locations at which records may be inspected.

(i) Cable Television Bureau. CATV petitions, requests, and related files.

**§ 0.465 [Amended]**

10. In § 0.465, the introductory text of paragraph (a) is amended by specifying "Cooper Trent/Keuffel & Esser Co." for "Cooper Trent, Inc."

**PART 1—PRACTICE AND PROCEDURE**

**§ 1.04 [Amended]**

1. Section 1.04(a) is amended by substituting the ZIP code "20554" for "20555" in the third sentence.

2. Section 1.207(b) is amended to read as follows:

§ 1.207 Interlocutory matters, reconsideration and review; cross-references.

(a) \* \* \*

(b) Rules governing appeal from rulings made by the presiding officer are set forth as §§ 1.301 and 1.302.

**§ 1.569 [Amended]**

3. In § 1.569, "kHz" is substituted for "kc/s" the 27 times it appears, and in paragraphs (b) (2) (ii) and (c) (2) (ii), the "W" in "kW" is capitalized.

**§ 1.573 [Amended]**

4. In § 1.573, Note 1, paragraph (a) (2) (iii), is amended by substituting "kHz" for "kc/s" and paragraph (a) (3) is amended by substituting "dB" for "db".

5. In § 1.912(e), subparagraphs (2) and (3) are amended to read as follows:

§ 1.912 Where applications are to be filed.

(e) \* \* \*

(2) Hand-carried applications accompanied by fees shall be delivered to:

Fees Section, Office of Executive Director,  
1919 M Street NW., Washington, DC.

(3) Hand-carried applications not accompanied by fees shall be delivered to:

The Secretary's Office, 1919 M Street NW., Washington, DC.

**§ 1.924 [Amended]**

6. In § 1.924(b) (1) (ii), "MHz" is substituted for "Mc/s".

**§ 1.952 [Amended]**

7. In § 1.952(a), "MHz" is substituted for "Mc/s".

## § 1.955 [Amended]

8. In § 1.955, "MHz" is substituted for "Mc/s" in paragraph (a), three times; in (b), two times; in (d), one time; in (e), one time; and in (f), three times. In addition, "GHz" is substituted for "Gc/s" in paragraph (a), one time.

## § 1.962 [Amended]

9. In § 1.962(a) (1), "MHz" is substituted for "Mc/s".

10. Section 1.1209(g) is amended to read as follows:

§ 1.1209 Decisionmaking Commission personnel (restricted rule making proceedings).

(g) The Chief of the Cable Television Bureau and his staff when participating in proceedings involving service by common carriers to community antenna television systems.

11. Section 1.1227(b) is amended to read as follows:

§ 1.1227 Permissible ex parte communications.

(b) Such ex parte communications initiated by the staff of the Common Carrier Bureau or the Cable Television Bureau as may be necessary for the adduction of record evidence in restricted rule making proceedings.

## Appendix B [Deleted]

12. Appendix B—Interpretations of Fee Rules and Procedures—is temporarily deleted from the Code of Federal Regulations to save on printing costs, pending appropriate revision and additions.

## PART 13—COMMERCIAL RADIO OPERATORS

## § 13.2 [Amended]

1. Section 13.2(a) (1) is amended by deleting subdivision (iii) which is no longer applicable.

2. Section 13.4(c) is amended to read as follows:

§ 13.4 Term of licenses.

(c) A commercial operator license of any grade granted to an alien aircraft pilot under a waiver of the U.S. nationality provisions of section 303(1) of the Communications Act until such time as the question of a national security policy has been determined with respect to such persons, will normally be issued for a period not in excess of 1 year from the date of issuance. An operator license issued to an alien shall be valid only if the operator continues to hold an aircraft pilot certificate issued by the Federal Aviation Administration or one of its predecessor agencies and is lawfully in the United States.

## § 13.5 [Amended]

3. In § 13.5, paragraph (d) is obsolete and is deleted.

## § 13.7 [Amended]

4. In § 13.7(a) (2), the term "megahertz" is substituted for the term "megacycles".

5. In § 13.11(a), the second sentence is amended to read as follows:

§ 13.11 Procedure.

(a) General. \* \* \* The application in the prescribed form and including all required subsidiary forms and documents, properly completed and signed, and accompanied by the fee prescribed in the Commission's general fee schedule as set forth in Subpart G, Part 1 of this chapter, shall be submitted to the appropriate office as indicated in paragraph (b) of this section. \* \* \*

## § 13.21 [Amended]

6. In § 13.21, the introductory text is designated as paragraph (a).

7. Section 13.44 is amended to read as follows:

§ 13.44 Receiving test procedure.

Receiving code tests shall be written in longhand or printed by hand either in ink or pencil except that in the case of the 25 words per minute code test a typewriter may be used when furnished by the applicant.

## § 13.61 [Amended]

8. In § 13.61, the text of paragraph (c) is deleted and the word "Reserved" is substituted.

## Appendix [Deleted]

9. Since the fees applicable to Part 13 are set forth in Part 1 and appropriate reference thereto is made in § 13.11(a), the Appendix, "Filing Fees", is deleted.

[FR Doc.71-14632 Filed 10-5-71;8:48 am]

## Title 32A—NATIONAL DEFENSE, APPENDIX

## Chapter I—Office of Emergency Preparedness

[OEP Economic Stabilization Reg. 1, Circular No. 19]

## SUPPLEMENTARY GUIDANCE FOR APPLICATION

## Economic Stabilization Circular No. 19

This circular is designed for general information only. The statements herein are intended solely as general guides drawn from OEP Economic Stabilization Regulation No. 1 and from specific determinations and policy statements by the Cost of Living Council and do not constitute legal rulings applicable to cases which do not conform to the situations clearly intended to be covered by such guides.

NOTE: Provisions of this and subsequent circulars are subject to clarification, revision, or revocation.

This 19th circular covers determinations and policy statements by the Council through October 4, 1971.

NOTE: The date of September 27, 1971, appearing in the last unnumbered paragraph at the beginning of OEP Economic Stabilization Circular No. 18 is amended to read October 1, 1971.

## APPENDIX I

## ECONOMIC STABILIZATION CIRCULAR NO. 10

100. Purpose. (1) On August 15, 1971, President Nixon issued Executive Order No. 11615, as amended, providing for stabilization of prices, rents, wages, and salaries and establishing the Cost of Living Council, a Federal agency. The order delegated to the Council all of the powers conferred on the President by the Economic Stabilization Act of 1970, as amended. The effective date of the Order was 12:01 a.m., August 16, 1971.

(2) By its Order No. 1 the Council delegated to the Director of the Office of Emergency Preparedness authority to administer the program for the stabilization of prices, rents, wages, and salaries as directed by Section 1 of Executive Order No. 11615, as amended.

(3) The purpose of this circular, the 19th in a series to be issued, is to furnish further guidance to Federal officials and the public in order to promote the program.

200. Authority. Relevant legal authority for the program includes the following:

The Constitution.

Economic Stabilization Act of 1970, Public Law 91-379, 84 Stat. 799; Public Law 92-15, 85 Stat. 38.

Executive Order No. 11615, as amended, 36 F.R. 15127, August 17, 1971.

Cost of Living Council Order No. 1, 36 F.R. 16215, August 20, 1971.

OEP Economic Stabilization Regulation No. 1, as amended, 36 F.R. 16515, August 21, 1971.

300. General Guidelines. (1) The guidance provided in this circular is in the nature of additions to or clarifications of previous determinations and policy statements by the Cost of Living Council covered in previous OEP Economic Stabilization Circulars.

(2) The numbering system used in this circular corresponds to that used in OEP Economic Stabilization Circular No. 101.

302. Transactions—(1) Problems associated with transactions rule-supplemental guidance. Many industries, such as liquor, public utilities, and transportation, are required by State laws to publish proposed price or rate changes for a period of time prior to the date on which the changes are to become effective. Where such a legal requirement for posting of prices prior to implementation has resulted in price increases becoming effective during the freeze, the transactions rule may not be modified to permit these price increases to stand. The ceiling prices during the freeze are the highest prices charged in a substantial number of transactions in the base period.

303. Seasonal patterns—(1) Candy. Candy manufacturers who make specialized holiday candies for occasions such

as Halloween, Thanksgiving, and Christmas must use the prices of the last shipments of such candies—probably those made last year prior to the special event involved—to establish their ceiling prices. They may not base their ceiling price or rates on similar candies with different shapes during this year's pre-freeze base period.

If manufacturers develop new compositions or shapes, then pricing must be computed on the basis of comparable products in the base period.

However, if changes are made only in the color, size, or shape of the container or only in the color of the candy, manufacturers may compute their prices using either the prefreeze base period, or, if the seasonality rule applies, last year's prices.

#### 400. Price guidelines.

402. *Price ceilings*—(1) *Prices in relation to taxes.* State and local tax rates are not frozen by the program. If a State or local government should increase local or State taxes, i.e., property or business taxes, merchants and other commercial businesses may not pass on to consumers the amount of the tax increase. However, where there has been an increase in surcharges or other sales or excise taxes which are direct taxes on commodities or services, the new ceiling prices for such commodities or services are equal to the ceiling prices established during the applicable base period, plus those additional surcharges or taxes.

(2) *Customer access to price records.* The Cost of Living Council provides the following additional guidance:

(a) At each place of sale, sellers must maintain lists of ceiling prices for all goods or services offered for sale. Upon

specific request, sellers are required to permit prompt public inspection of a ceiling price from the lists on an item-by-item basis.

(b) If a customer is not satisfied with the ceiling price provided by the seller for a given product or service, the customer should file a complaint with the local office of the Internal Revenue Service.

(c) When customers question ceiling prices, sellers are encouraged, but not required, to reveal their supporting records (i.e., records of transactions from which ceiling prices are calculated). Sellers are required, however, to reveal all lists and supporting records to Federal employees responsible for investigating complaints.

#### 403. Specific guidelines.

(1) *"University-controlled" housing-supplemental guidance.* Where student housing is owned or operated by a university-owned housing authority or other university-owned entity, it shall be considered "university-controlled." Other housing facilities are considered to be "university-controlled" only when all of the following criteria are met:

(a) There is a contract with the university, whereby a facility is provided and/or operated under conditions agreed to by the university.

(b) There is a stipulation in the contract that the facility is operated exclusively for students of the university.

(c) The university approves the rates charged the students, and receives the payments made pursuant to these rates.

(2) If a team which has overcharged customers in contravention of the freeze prefers to offer patrons tickets to future games or other forms of compensation in lieu of a cash refund, it must still offer at the same time the option of a cash refund when the other forms of com-

pensation are unsatisfactory to the patron.

#### 600. Rent guidelines

602. *Specific*—(1) *Formula-determined rentals in leases: Both gross and net (including financial leases such as sale and leaseback, revenue bonds backed by finance leases, equipment leases and take-or-pay contracts).* Where base period rentals are determined by a formula specified in a lease or other agreement, the same formula may be applied throughout the freeze period, and pursuant to such formula, monthly rentals may exceed the dollar amount paid in the base period: *Provided, however,* That increases are not permitted in the following cases: (a) Rent increases contingent upon passage of time, (b) increases keyed to the consumer price index, (c) increases based on taxes, except surcharges or sales or excise taxes as specified in the last sentence of paragraph 402(1) of this circular, increased during the freeze period. A landlord may pass on, under such a lease agreement, taxes which were increased and legally effective prior to August 15 (even if exact tax liability for the property is not computed until after August 15).

*Note:* This paragraph supersedes paragraph 602(2) of OEP Economic Stabilization Circular No. 17.

1001. *Effective date.* This circular, unless modified, superseded or revoked, is effective on the date of publication for a period terminating at midnight of November 13, 1971.

Dated: October 5, 1971.

G. A. LINCOLN,  
Director,

Office of Emergency Preparedness.  
[FR Doc.71-14788 Filed 10-5-71;3:01 am]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

#### [ 7 CFR Part 982 ]

### FILBERTS GROWN IN OREGON AND WASHINGTON

#### Proposed Expenses of the Filbert Control Board and Rate of Assessment for the 1971-72 Fiscal Year

Notice is hereby given of a proposal regarding expenses of the Filbert Control Board for the 1971-72 fiscal year and rate of assessment for that fiscal year, pursuant to §§ 982.60 and 982.61 of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Board has recommended for the 1971-72 fiscal year beginning August 1, 1971, a budget of expenses in the total amount of \$29,400. Based on the volume of filberts estimated to be subject to this regulatory program during the 1971-72 fiscal year, an assessment rate of 0.20 cent per pound of assessable filberts is expected to provide sufficient funds to meet the estimated expenses of the Board.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the ninth day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 982.316 Expenses of the Filbert Control Board and rate of assessment for the 1971-72 fiscal year.

(a) *Expenses.* Expenses in the amount of \$29,400 are reasonable and likely to be incurred by the Filbert Control Board during the fiscal year beginning August 1, 1971, for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for said fiscal year, payable by each handler in accordance with § 982.61, is fixed at 0.20 cent per pound of filberts.

Dated: September 30, 1971.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[FR Doc.71-14622 Filed 10-5-71;8:47 am]

## FEDERAL COMMUNICATIONS COMMISSION

### [ 47 CFR Part 73 ]

[Docket No. 19297]

### FM BROADCAST STATIONS

#### Table of Assignments; Certain Stations; Extension of Time

*Order extending time for filing reply comments (RM-1611 only).* In the matter of amendment of § 73.202, *Table of Assignments, FM Broadcast Stations.* (Modesto, Turlock, and Patterson, Calif.; Albuquerque, N. Mex.; Centerville, Iowa; and Milford, Del.); Docket No. 19297, RM-1611, RM-1612, RM-1622.

1. This proceeding was begun by notice of proposed rule making (FCC 71-802) adopted August 4, 1971, released August 9, 1971, and published in the FEDERAL REGISTER on August 12, 1971 (36 F.R. 15057). The dates for filing comments has expired and the date for filing reply comments is presently designated as September 27, 1971.

2. On September 27, 1971, Sierra Pacific Radio Corp. (Sierra Pacific), by its attorneys, filed a request for extension to and including October 11, 1971, in which to file reply comments. Counsel for Sierra Pacific states that he has only recently received this commitment and therefore has not had an opportunity to get copies of all the comments and to review some in detail. He therefore requests the additional time in which to file reply comments in this proceeding.

3. We are of the view that the requested extension is warranted and would serve the public interest. *Accordingly, it is ordered,* That the time for filing reply comments in Docket 19297 (RM-1611 only) is extended to and including October 11, 1971.

4. This action is taken pursuant to authority found in sections 4(i), 5(d) (1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d) (8) of the Commission's rules.

Adopted: September 28, 1971.

Released: September 30, 1971.

[SEAL] WALLACE E. JOHNSON,  
Chief, Broadcast Bureau.

[FR Doc.71-14633 Filed 10-5-71;8:48 am]

### [ 47 CFR Part 74 ]

[Docket No. 19320; FCC 71-982]

### COMMUNITY ANTENNA TELEVISION (CATV) SYSTEMS

#### Nationally Syndicated Programs

In re: Amendment of § 74.1103(g) (2) of the Commission's rules and regulations, Docket No. 19320.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. On April 9, 1971, Camellia City Telecasters, licensee of Station KTXL-TV (Ind.) Sacramento, Calif., filed a "Request For Declaratory Ruling Concerning Applicability Of § 74.1103(g) (2) Of The Commission's Rules To Programs Nationally Syndicated For Release On A Same Day Basis." Section 74.1103(g) (2) of the rules provides that:

The [CATV] system need not delete reception of a network program which is scheduled by the network between the hours of 6 and 11 p.m. eastern time, but is broadcast by the station requesting deletion, in whole or in part, outside of the period which would normally be considered prime time for network programming in the time zone involved.

Camellia requested a declaratory ruling that the above-quoted section is applicable not only to network programs, but also to programs nationally syndicated for release on a same-day basis.

3. In support of its request, Camellia City argued that any program that is successful enough to be placed on a number of television stations throughout the country will have the same high degree of popularity as programs scheduled by networks in prime time. Yet, numerous viewers may be deprived of the opportunity to watch these programs in prime time, which as a practical matter is the only viewing time available to people who work during daytime hours, because a higher priority station on a CATV system schedules the program at a

time when its audience consists primarily of housewives and children.<sup>1</sup>

4. We find Camellia City's argument quite persuasive. In the Second Report and Order in Docket No. 14895, 2 FCC 2d 725, 749-750, we stated that the reason for the nonprime time exception to the program exclusivity rule for network programs was to " \* \* insure that such programs are available to the CATV subscribers in maximum viewing hours." These considerations appear equally applicable to nationally syndicated programs released on a same-day basis whose broad popular appeal is comparable to that of network programs. However, it would be misleading to the public to revise the above-quoted section through this opinion alone. A direct revision of the rule is needed. Accordingly, we are instituting this rule making proceeding. Additionally, this proceeding will enable us to consider arguments that interested parties wish to make against the proposed rule change.

5. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before November 8, 1971, and reply comments on or before November 18, 1971. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

ceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

6. Authority for the amendments proposed herein is contained in section 4(i) and 303(r) of the Communications Act of 1934, as amended.

7. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings briefs, and other documents shall be furnished the Commission. Responses will be available for public inspection during regular business hours in the Commission's Broadcast and Docket Reference Room at its headquarters in Washington, D.C.

Adopted: September 24, 1971.

Released: September 30, 1971.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>2</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

A. Part 74 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 74.1103 is amended to add a note after paragraph (g) (2) as follows:

§ 74.1103 Requirements relating to distribution of television signals by community antenna television systems.

(g) \* \* \*  
(2) \* \* \*

<sup>2</sup> Commissioner Johnson concurring in part and dissenting in part and issuing a statement, filed as part of the original document; Commissioner H. Rex Lee, Wells, and Houser absent.

NOTE: The term "network program" includes programs nationally syndicated for release on a same-day basis.

[FR Doc.71-14635 Filed 10-5-71;8:48 am]

## FEDERAL POWER COMMISSION

[ 18 CFR Parts 101, 104, 105, 141,  
201, 204, 205, 260 ]

[Docket No. R-424]

### UNIFORM SYSTEM OF ACCOUNTS AND CERTAIN FORMS

#### Notice of Extension of Time

SEPTEMBER 27, 1971.

Accounting for premium, discount and expense of issue, gains and losses on refunding and reacquisition of long-term debt, and interperiod allocation of income taxes.

Requests for an extension of time within which to file comments in the above-designated matter have been filed by Haskins & Sells, the Public Utilities Commission of the State of California, Philadelphia Electric Co., Baltimore Gas and Electric Co., the Independent Natural Gas Association of America, San Diego Gas and Electric Co., the Edison Electric Institute, and Union Electric Co.

Upon consideration, notice is hereby given that the time is extended to and including April 4, 1972, within which any interested person may submit data, views, comments or suggestions, in writing, to the Notice of Proposed Rulemaking issued August 6, 1971, in the above-designated matter.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.71-14605 Filed 10-5-71;8:46 am]

<sup>1</sup> Camellia points out, for example, that certain CATV systems carrying KTXL-TV which shows "the David Frost Show" during prime time, and certain higher priority stations, which air this show during nonprime time, grant exclusively to these higher priority stations taking the position that the network programs referred to in § 74.1103(g) (2) do not include syndicated programs.

# Notices

## DEPARTMENT OF THE TREASURY

### Fiscal Service

[Dept. Circ. 571-1971 Rev., Supp. No. 2]

### RURAL MUTUAL INSURANCE COMPANY

#### Surety Company Acceptable on Federal Bonds

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under sections 6 to 13 of title 6 of the United States Code. An underwriting limitation of \$583,000 has been established for the company.

Name of company, location of principal executive office, and State in which incorporated:

Rural Mutual Insurance Company  
Madison, Wisconsin  
Wisconsin

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new Certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the Circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated: October 1, 1971.

[SEAL] JOHN K. CARLOCK,  
Fiscal Assistant Secretary.

[FR Doc.71-14654 Filed 10-6-71;8:49 am]

[Dept. Circ. 570-1971 Rev., Supp. No. 3]

### MISSION INSURANCE COMPANY

#### Surety Company Acceptable on Federal Bonds

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under sections 6 to 13 of Title 6 of the United States Code. An underwriting limitation of \$1,062,000 has been established for the company.

Name of company, location of principal executive office, and State in which incorporated:

Mission Insurance Company  
Los Angeles, California  
California

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new Certificates are issued

on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the Circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated: October 1, 1971.

[SEAL] JOHN K. CARLOCK,  
Fiscal Assistant Secretary.

[FR Doc.71-14655 Filed 10-6-71;8:49 am]

## DEPARTMENT OF JUSTICE

### Law Enforcement Assistance Administration

#### HELICOPTER PROCUREMENT GUIDELINES

Pursuant to the authority contained in Public Law 90-351, the Omnibus Crime Control and Safe Streets Act of 1968, as amended, it is the purpose of this document to propose guidelines for the missions, specifications and funding of helicopter programs funded with LEAA money.

Interested persons may submit written comments and suggestions to Dr. Michael D. Maltz, National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, Washington, D.C. 20530, on or before October 29, 1971.

JERRIS LEONARD,  
Administrator.

**I. Purpose.** The purpose of this document is to establish standard mission, specification, and funding guidelines for helicopter programs funded with LEAA money.

**II. General.** The missions outlined herein are general in nature and are not exhaustive. However, they are considered to be the minimum required to justify a policy helicopter patrol program. Helicopter and ancillary equipment specifications stated are considered adequate to accomplish these missions. It is recognized that some applicants for funding may have mission requirements peculiar to their area of jurisdiction. Where such is the case these missions must be aimed specifically at crime prevention or reduction through aerial patrol. Only those missions that have a direct relevance to this function will be considered. Topography, demographic makeup, weather factors, etc., in certain areas may generate requests for variance from these helicopter/ancillary equipment specifications. Any requested variance

must be fully justified and strongly substantiated.

**III. Responsibilities and funding.** Each application for funding of a helicopter program (including lease, purchase, maintenance, and/or operations expenses), must follow helicopter/ancillary equipment specifications approved by LEAA. They shall be used by the applicant when soliciting bids from manufacturers. Funding will not exceed the lowest bid conforming to the LEAA-approved specifications.

**IV. Standards.—A. Missions—1. Routine patrol.**

Regular and frequent aerial observation of prestudied and selected areas of jurisdiction, primarily performing as the air environment will allow, those activities attendant to the accepted normal police patrol function. Normal patrol altitude is considered to be 500 to 1,000 feet above existing terrain. Routine patrol missions are considered not to exceed 2 hours in duration.

**2. Search and surveillance.** Concentrated aerial search/surveillance for particular persons or vehicles or sites in support of police activities related to crime control. Surveillance may be either overt or covert as the situation requires.

**3. Investigation of suspicious ground/water activities.** Regular and frequent requirement to investigate for confirmation of suspicious activities, persons, or vehicles, resulting from observation or radio intelligence. Includes detection and/or apprehension of suspects, in coordination with ground units. In waterways or harbor areas, includes investigation or identification of boats or water activities such as thefts and burglaries in or adjacent to harbors.

**4. Pursuit.** Air chase of vehicles or persons suspected/confirmed of being involved in crimes or other related activities and the vectoring in of ground personnel to intercept/apprehend.

**5. Control platform and personnel/equipment delivery.** Use as platform to command, control, and coordinate the activities of the police ground forces; particularly at events which draw large crowds and during civil disturbances. Transport of crime specialists (i.e., crime lab personnel) to remote or relatively inaccessible locations or other locations where the situation demands expeditious arrival. Delivery of equipment and services (i.e., illuminating lights, tear gas, photo equipment, etc.) as necessitated.

**6. Training.** Training requirements will be initial pilot training at the onset of a program, continuous requalification and proficiency checks, proper use of ancillary equipment, specialized training in the skills of aerial observation. Includes air familiarization for ground personnel.



**B. Helicopter/Ancillary Equipment Specifications—1. General.** Helicopter shall be factory new, latest production model, with all applicable improvements, service bulletins, and service letters complete and incorporated in the helicopter at time of delivery, including aircraft and engine logbooks and FAA approved flight operations manuals.

**2. Certification.** Helicopter shall be certified by FAA for day and night visual flight rules. All accessories shall be FAA certified.

**3. Safety.** Helicopter shall be capable of a safe autorotation from hover, at maximum gross weight, at an altitude of at least 400 feet above ground level in the area of operation. This capability shall be FAA approved and supported by an accepted height-velocity diagram. Manufacturer shall document all safety equipment over and above the minimum required for FAA certification.

**4. External dimensions.** Helicopter shall be capable of landing in a 50' diameter circle.

**5. Internal dimensions.** Cabin shall be provided with seating for a pilot and an observer distributed in such a manner as to provide the pilot with adequate space for unobstructed operation of the controls under all conditions, and to provide the observer with adequate visibility of the operating area. There shall be sufficient clearance in the cabin for the observer to maneuver any observation enhancement equipment such as handheld TV cameras, binoculars, or other vision enhancement gear. Cabin shall be designed for optimum observation of ground activity.

**6. Rotor height.** Rotor blades shall be at least 7 feet above the ground (rotor static condition).

**7. Electrical system.** Electrical system shall be capable of simultaneously supporting all basic aircraft systems and other systems necessary to perform the missions.

**8. Maintenance.** All equipment, basic and accessory, shall be maintained according to FAA requirements.

**9. Landing gear.** Landing gear shall be skid type; however, in areas requiring patrol of waterways and shoreline, helicopters shall be capable of being equipped with floats.

**10. Speed.** Helicopter shall be capable of patrolling 95 miles per hour<sup>1</sup> indicated airspeed, at maximum gross load conditions at the normal patrol altitude in the area of operation.

**11. Endurance.** Endurance of the aircraft must be at least 3 hours at maximum gross weight, when operating at speeds of 40 to 50 miles per hour, at normal patrol altitude.

**12. Service ceiling.** Helicopter shall be capable of flying 3,000 feet above normal patrol altitude.

<sup>1</sup>For policing rural areas where speeds greater than 95 m.p.h. are frequently achieved and sustained by pursued automobiles, this will be increased to 120 m.p.h.

**13. Hovering ceiling.** Helicopter shall be capable of hovering out of ground effect at normal patrol altitude at maximum gross weight.

**14. Useful load.** Helicopter shall be capable of the foregoing performance under patrol ready conditions with:

- a. Full fuel load;
- b. Two-man crew (200 lbs. per man);
- c. Necessary police and avionics equipment installed. This will normally include one radio for airport control zones, one police radio compatible with radio in patrol cars, one intercom, one public and speaker, a steerable searchlight capable of supplying ground illumination of 0.5 foot-candles on the ground from 1,000-foot altitude above existing terrain, cabin heater and floats if required. Other equipment shall be included if required for FAA certification or efficient operation (such as defoggers, first aid kit, fire extinguisher, etc.).

**15. Overall performance.** All of the above itemized performance requirements are considered in still air at the expected extreme seasonal temperatures and pressures. Helicopter shall be capable of sustaining these performance requirements except for unseasonal extreme density altitude conditions not occurring more than 1 percent of the year. An analysis of local weather statistics in relation to the helicopter performance data must substantiate the candidate helicopter's capability to perform under these conditions.

**C. Exceptions and notes.** 1. Applicants for helicopter funding may have use or responsibility of helicopters over and above standards required by LEAA. As an example, a helicopter may have litter capability added. Any additional use or responsibility shall not be funded by LEAA but will not limit dual usage provided such does not restrict the helicopters' primary function as an anti-crime patrol aircraft.

2. These requirements are in no way meant to restrict an applicant specifying any other equipment or items that are optional or necessary for the conduct of the patrol. For example, it is advisable to have at least one helicopter equipped with dual controls to accommodate training new pilots and updating pilot proficiency. However, any optional or necessary equipment other than stated herein must be fully justified and substantiated by applicant.

[FR Doc.71-14645 Filed 10-5-71;8:49 am]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-4476]

IDAHO

Proposed Withdrawal and  
Reservation of Lands

SEPTEMBER 29, 1971.

The Department of Agriculture has filed an application, Serial No. I-4476,

for the withdrawal of the lands described below from all location and entry under the mining laws but not the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for public purposes for the Hughes Creek Administrative Site in the Salmon National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 334 Federal Building, 550 West Fort Street, Boise, ID 83702.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Department of Agriculture. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record. If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

SALMON NATIONAL FOREST

Hughes Creek Administration Site

T. 25 N., R. 21 E.,

Secs. 15 and 22 (unsurveyed).

A fraction of HES No. 95 more particularly described by metes and bounds as follows:

Beginning at corner No. 11 of HES No. 95, thence S. 48°14' W., 253.8 feet to a point, thence S. 43°15' W., 495.7 feet to a point, thence N. 54°49' W., 279 feet to the right-of-way line of the Sawtooth Park FHP 30 C2 E3 F2 highway survey, thence north along said right-of-way for a distance of 1,705.1 feet, more or less, thence S. 39°39' E., 357 feet, more or less to a point on the boundary line of HES No. 95, thence S. 42°15' W., 880 feet, more or less, to corner No. 11 of HES No. 95, the place of beginning.

The area described contains 12 acres, more or less, in Lemhi County.

RICHARD H. PETRIE,  
Chief,

Division of Technical Services.

[FR Doc.71-14611 Filed 10-5-71;8:47 am]

[Serial No. I-4467]

**IDAHO****Proposed Withdrawal and Reservation of Lands**

SEPTEMBER 29, 1971.

The Department of Agriculture has filed an application, Serial No. I-4467, for the withdrawal of the lands described below, from location and entry under the general mining laws but not the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for public purposes for an administrative site, a recreation area and a geologic site in the Boise, Challis and Payette National Forests.

For a period of 30 days from the date of publication of this notice all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 334 Federal Building, 550 West Fort Street, Boise, ID 83702.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Department of Agriculture. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record. If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

BOISE NATIONAL FOREST

*Bear Valley Mountain Administrative Site*T. 13 N., R. 9 E.,  
Sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 20 acres, more or less.

BOISE MERIDIAN, IDAHO

CHALLIS NATIONAL FOREST

*Stanley Lake Lagoon*T. 11 N., R. 12 E.,  
Sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The area described aggregates 40 acres, more or less.

BOISE MERIDIAN, IDAHO

PAYETTE NATIONAL FOREST

*Redfish Cave Geologic Area*T. 21 N., R. 3 W.,  
Sec. 29, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The area described contains 20 acres, more or less.

The areas described aggregate about 80 acres in Valley, Custer, and Adams Counties.

RICHARD H. PETRIE,  
Chief,

Division of Technical Services.

[FR Doc.71-14612 Filed 10-5-71;8:47 am]

[Utah 16391]

**UTAH****Proposed Withdrawal and Reservation of Lands**

SEPTEMBER 29, 1971.

The Department of the Army, Sacramento District, Corps of Engineers, has filed an application for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C. ch. 2), and from leasing under the mineral leasing laws.

The applicant desires the land for construction, operation, and maintenance of the Pershing-Green River Launch Facility.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 11505, Salt Lake City, UT 84111.

The Department's regulations (43 CFR 2351.4(c)), provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SALT LAKE MERIDIAN

T. 21 S., R. 16 E.,  
Sec. 23, SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 25, W $\frac{1}{2}$ , SE $\frac{1}{4}$ ;  
Sec. 26, all;  
Sec. 27, lot 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 34, lots 5, 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 35, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ .

The area described contains 2,139.50 acres in Grand County.

WILLIAM G. LEAVELL,  
Acting State Director.

[FR Doc.71-14613 Filed 10-5-71;8:47 am]

[Montana 19500]

**MONTANA****Order Providing for the Opening of Public Lands**

SEPTEMBER 28, 1971.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

PRINCIPAL MERIDIAN, MONT.

T. 33 N., R. 32 E.,  
Sec. 20, E $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 29, N $\frac{1}{2}$ .

The area described contains 760 acres. 2. The land is located in Phillips County. The land lies adjacent to other public land and is primarily useful for livestock grazing and hunting. The public lands in this area have been classified for multiple use management and retention in Federal ownership and are not open to application under the agricultural land laws (43 U.S.C. Chapters 7 and 9; 25 U.S.C. 334), or to sale under section 2455 of the Revised Statutes (43 U.S.C. 1171).

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to application, petition, location, and selection. All valid applications received at or prior to 10 a.m. on November 4, 1971, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The mineral rights in the lands were not exchanged. Therefore, the mineral status of the lands are not affected by this order.

5. Inquiries concerning the lands should be addressed to the Bureau of Land Management, Billings, Mont. 59101.

ROLAND F. LEE,  
Chief, Branch of Lands  
and Minerals Operations.

[FR Doc.71-14656 Filed 10-5-71;8:40 am]

**Geological Survey**

[Power Site Cancellation 201]

**RED RIVER, N. MEX.****Revocation of Power Site**

Pursuant to authority under the act of March 3, 1879 (20 Stat. 394; 43 U.S.C.



31) and 220 Departmental Manual 6.1, Waterpower Designation 1, of August 7, 1916, as modified and interpreted on March 25, 1922, and January 15, 1952, respectively, is hereby cancelled to the extent that it affects the following described land:

**NEW MEXICO PRINCIPAL MERIDIAN**

- T. 28 N., R. 12 E.,  
Sec. 3, lots 5, 7, and 8, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 28 N., R. 13 E.,  
Sec. 5, lot 6.  
T. 29 N., R. 13 E.,  
Sec. 32, lot 10.  
T. 29 N., R. 14 E.,  
Sec. 32, S $\frac{1}{2}$ ;  
Sec. 33.  
T. 28 N., R. 15 E.,  
All lands of the United States which, when surveyed, shall be included in whole or in part within one-half mile of Rio Colorado (now called Red River).

The area described aggregates about 3,976 acres.

W. A. RADLINSKI,  
*Acting Director.*

SEPTEMBER 29, 1971.

[FR Doc.71-14636 Filed 10-5-71;8:48 am]

**Office of the Secretary**  
**GEOTHERMAL LEASING PROGRAM**  
**Notice of Availability of Draft**  
**Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 USC § 4332(2)(C)) the Department of the Interior has prepared a draft environmental statement for the Geothermal Leasing Program and invites written comments within a period of forty-five (45) days after the publication of this Notice.

The environmental statement considers:

- (1) The adoption of leasing and operating regulations for the implementation of the Geothermal Steam Act of 1970 (30 USC §§ 1001-1025 (1070)); and
- (2) The leasing of federally-owned geothermal resources in three specific areas in California: (a) Clear Lake-Geysers, (b) Mono Lake-Long Valley, and (c) Imperial Valley.

Copies are available for inspection at the following locations:

Geothermal Coordinator's Office, Department of the Interior, Room 7000, Interior Building, Washington, D.C. 20240

Bureau of Land Management Public Rooms in the following offices:

- State Office, 555 Cordova Street, Anchorage, AK.  
District Office, Lathrop Building, 516 Second Avenue, Fairbanks, AK.  
State Office, Room 3022, Federal Building, Phoenix, Ariz.  
State Office, Federal Office Building, 2800 Cottage Way, Sacramento, CA.  
District Office, 1414 University Avenue, Riverside, CA.  
State Office, Room 700, Colorado State Bank Building, 600 Broadway, Denver, CO.  
Eastern States Land Office, 7981 Eastern Avenue, Silver Spring, MD.

- State Office, Room 334, Federal Building, 550 West Fort Street, Boise, ID.  
State Office, Federal Building and U.S. Courthouse, 316 North 26th Street, Billings, MT.  
State Office, Room 3008, Federal Building, 300 Booth Street, Reno, NV.  
State Office, U.S. Post Office and Federal Building, South Federal Place, Santa Fe, NM.  
State Office, 729 Northeast Oregon Street, Portland, OR.  
State Office, Federal Building, 125 South State, Salt Lake City, UT.  
State Office, U.S. Post Office and Courthouse Building, 2120 Capital Avenue, Cheyenne, WY.  
Outer Continental Shelf Office, Room T-9003, Federal Office Building, 701 Loyola Avenue, New Orleans, LA.

The statement will also be available for sale at \$2 per copy. Immediate over the counter and all mail order sales will be handled by:

U.S. Geological Survey Map Information Office, Room 1028, GSA Building, 18th and F Streets NW., Washington, DC 20242.

Copies of the statement will be available for over the counter sales only beginning October 12 at the following U.S. Geological Survey Public Inquiries Offices:

- 508 Second Avenue, Anchorage, AK.  
7638 Federal Building, 300 North Los Angeles Street, Los Angeles, CA.  
504 Custom House, 555 Battery Street, San Francisco, CA.  
1012 Federal Building, 1961 Stout Street, Denver, CO.  
Room 1C-45, 1100 Commerce Street, Dallas, TX.  
8102 Federal Building, 125 South State Street, Salt Lake City, UT 84111.  
678 U.S. Courthouse, West 820 Riverside Avenue, Spokane, WA.

Dated: October 1, 1971

WILLIAM W. LYONS,  
*Deputy Assistant Secretary*  
*of the Interior.*

[FR Doc.71-14666 Filed 10-5-71;8:49 am]

**DEPARTMENT OF AGRICULTURE**

Commodity Credit Corporation

[Amdt. 5]

**SALES OF CERTAIN COMMODITIES**

**Monthly Sales List (Fiscal Year Ending June 30, 1972)**

The CCC Monthly Sales List for the fiscal year ending June 30, 1972, published in 36 F.R. 13044, is amended as follows:

1. Section 42 entitled "Butter—Unrestricted Use Sales" is revised to read as follows:

Sales are in carlots only in-store at storage location of products.

Market price but not less than the following announced prices: 72.75 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. All other States 71.75 cents per pound. Sales are made under Announcement MP-14.

Effective date: C.O.B.; September 20, 1971.

Signed at Washington, D.C., on September 20, 1971.

CARROLL G. BRUNTHAVER,  
*Acting Executive Vice President,*  
*Community Credit Corporation.*

[FR Doc.71-14660 Filed 10-5-71;8:50 am]

[Amdt. 6]

**SALES OF CERTAIN COMMODITIES**  
**Monthly Sales List (Fiscal Year Ending June 30, 1972)**

The CCC Monthly Sales List for the fiscal year ending June 30, 1972, published in 36 F.R. 13044, is amended as follows:

1. Section 42 entitled "Butter—Unrestricted Use Sales" is revised to read as follows:

Sales are in carlots only in-store at storage location of products.

Market price but not less than the following announced prices: 70.75 cents per pound—New York, Pennsylvania, New Jersey, New England, Maryland, Virginia, West Virginia, Delaware, and the District of Columbia. All other States 69.75 cents per pound. Sales are made under Announcement MP-14.

2. The provisions of section 34 entitled "Castor Oil—Unrestricted Use Sales" are deleted.

Effective date: 10 a.m., September 27, 1971.

Signed at Washington, D.C., on September 30, 1971.

CARROLL G. BRUNTHAVER,  
*Acting Executive Vice President,*  
*Commodity Credit Corporation.*

[FR Doc.71-14661 Filed 10-5-71;8:50 am]

**DEPARTMENT OF COMMERCE**

Maritime Administration

[Report No. 115]

**LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963**

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through July 30, 1971, exclusive of those vessels that called on Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage	FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage	FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Total—all flags (190 ships) ..	1,415,011	Cypriot—Continued		Polish (21 ships) ..	150,590
Cypriot (99 ships) ..	769,533	Kypros ..	7,001	Baltyk ..	8,984
Aegle Banner ..	9,024	Lena ..	7,029	Bialystok ..	7,173
Aegle Fame ..	9,072	Marco ..	7,622	Bytom ..	5,087
Aegle Hope (previous trips to Cuba as the Huntsmore—British) ..	5,678	Master George ..	7,334	Chopin ..	9,231
Aftadelfos ..	8,136	May ..	8,853	Chorzow ..	7,237
Aghios Ermolaos ..	7,208	Mery (previous trips to Cuba—Greek) ..	7,258	Energetyk ..	10,870
Aghios Nicolaos ..	7,254	Mimis N. Papalios ..	9,069	Grodzlec ..	3,370
Alda ..	7,292	Mimosa ..	8,618	Huta Florlan ..	7,258
Alfa ..	7,388	Miss Papalios ..	9,072	Huta Labedy ..	7,231
Alice (previous trips to Cuba—Greek) ..	7,189	Mitera Irini (previous trips to Cuba as the Soclyve—British and Maltese) ..	7,291	Huta Ostrowiec ..	7,170
Alitric ..	7,564	Nea Hellas ..	9,241	Huta Zgoda ..	6,840
Alma ..	6,585	Nedi 2 ..	7,679	Hutnik ..	10,817
Alpa ..	9,159	Newgate (previous trips to Cuba—British) ..	6,743	Kopalnia Bobrok ..	7,221
Amarillis ..	8,959	**Newheath (trips to Cuba—British) ..	7,643	Kopalnia Czladz ..	7,282
Amfitea (previous trip to Cuba as the Antonia—Greek) ..	5,171	Nike ..	9,505	Kopalnia Mlechowice ..	7,223
Anemone ..	7,168	Noelle (previous trips to Cuba—Lebanese) ..	7,251	Kopalnia Slemianowice ..	7,165
Anka ..	7,314	Olga (previous trips to Cuba—Lebanese and Greek) ..	7,265	Kopalnia Wujek ..	7,033
Annunciation Day ..	9,047	Pantazis Calas ..	9,618	Narwik ..	7,085
Antigoni ..	3,174	Patricia ..	6,998	Plast ..	3,184
Ardena ..	7,261	Petunia ..	7,843	Rejowice ..	3,401
Arendal ..	7,265	Piatres ..	7,244	Transportowice ..	10,854
Arete ..	8,406	*Protoapostolos ..	8,130		
Aria (previous trips to Cuba—Somali) ..	5,059	Protoklitos ..	6,154	Yugoslav (7 ships) ..	40,731
Arion ..	3,570	Salvia ..	8,522	Agrum ..	2,449
Arosa ..	7,233	Silver Coast ..	7,328	Bar ..	8,770
*Artigas ..	5,841	Silver Hope ..	5,313	Cetinje ..	8,220
Athenian ..	9,943	Sophia (previous trips to Cuba—Greek) ..	7,030	Plva ..	7,510
Aurora ..	8,380	Successor ..	11,471	Plod ..	3,667
Azalea ..	9,506	Suerte ..	7,267	Tara ..	7,409
Begonia ..	6,576	Thios Costas (previous trips to Cuba—Somali) ..	7,258	Ulcinj ..	8,602
Byron ..	8,720	Torenia ..	8,077		
Calypso (tanker) ..	12,883	**Trojan (trips to Cuba as the Mauritanie—Moroccan) ..	10,392	Greek (6 ships) ..	40,477
Camella ..	8,111	Venturer ..	9,000	Andromachi (previous trips to Cuba as the Penelope—Greek) ..	6,712
Castalia ..	7,641	Venus ..	9,777	**Anna Maria (trips to Cuba as the Helka—British) ..	2,111
Claire (previous trips to Cuba—Lebanese) ..	5,411	Zaira ..	8,032	Etyhia ..	9,844
Cleo II ..	7,590	Zinia ..	7,114	**Gold Land (trip to Cuba as the Amfred—Swedish) ..	2,838
*Cleopatra ..	8,079			**Lambros M. Fatsis (trips to Cuba as the La Hortensia—British) ..	9,486
Costiana ..	7,199			**Pothiti (trips to Cuba as the Huntsville—British) ..	9,486
Degedo ..	9,000	British (28 ships) ..	228,019		
Diamondo ..	7,067	Arctic Ocean ..	8,791	Italian (6 ships) ..	53,930
Dolphin ..	3,550	Athelcrown (tanker) ..	11,149	Alderamine (tanker) ..	12,505
Dorine Papalios (previous trips to Cuba as the Formentor—British) ..	8,424	Athellaird (tanker) ..	11,150	Ella (tanker) ..	11,021
E. D. Papalios ..	9,431	Athelmonarch (tanker) ..	11,182	Probitas ..	8,150
Elpida ..	8,296	Cheung Chau ..	8,586	San Francesco ..	9,294
Elpidoforos ..	4,963	Coral Islands ..	9,060	Santa Lucia ..	9,278
Free Trader (previous trips to Cuba—Lebanese) ..	7,061	East Sea ..	9,679	Somalia ..	3,692
Gardenia ..	9,744	Fortuna Enterprise ..	7,696		
George ..	7,378	**Glendalough (trip to Cuba as the Ardrossmore—British) ..	5,820	Somali (8 ships) ..	61,038
George N. Papalios ..	9,071	Golden Bridge ..	7,897	**Atlas (trip to Cuba—Finnish) ..	3,916
Georgios C. (previous trips to Cuba as the Huntsfield—British and Cypriot) ..	9,483	Ho Fung ..	7,121	Bor Sea ..	8,260
Georgios T. ..	9,646	Huntsland ..	9,353	Dimitrakis ..	7,020
Glannis ..	7,490	Hwa Chu ..	9,091	Hemisphere (previous trips to Cuba—British) ..	8,718
Good Luck ..	6,952	Ivory Islands ..	9,718	Nebula (trips to Cuba—British) ..	8,907
Happy Land ..	9,080	Kinross ..	5,388	Nebula (previous trips to Cuba—British) ..	8,907
Herodemos ..	7,356	Magister ..	2,239	**Oriental (trips to Cuba as the Oceanramp—British) ..	6,185
Ilena (previous trips to Cuba—Lebanese) ..	5,925	Precious Pearl ..	6,921	**Eastglury (trips to Cuba—British) ..	8,005
Irena (previous trips to Cuba—Lebanese) ..	7,232	Red Sea (previous trip to Cuba as the Grosvenor Mariner—British) ..	7,026	**Jollity (trips to Cuba—British) ..	8,810
Iris ..	8,479	**Rosetta Maud (trips to Cuba as the Ardtara—British) ..	5,795		
Johnny ..	9,689	Sea Amber ..	10,421	French (4 ships) ..	10,466
June ..	9,357	Sea Coral ..	10,421	**Atlanta (trip to Cuba as the Ence—French) ..	1,232
Katerina (previous trips to Cuba—Lebanese) ..	9,357	Sea Empress ..	9,841	Circe ..	2,874
Kimon ..	5,686	Sea Moon ..	9,085	Danae ..	3,480
Kitsa ..	9,519	Seasage ..	4,330	Nelle ..	2,874
Kounistra (previous trips to Cuba as the Nicolaos Frangistas and the Nicolaos F.—Greek) ..	7,193	**Shun Wah (trip to Cuba as the Vercharmian—British) ..	7,265		
See footnotes at end of document.		Steed ..	8,989		
		Venice ..	8,611		
		Yunglutaton ..	5,414		

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Lebanese (2 ships)-----	11,583
Antonis -----	6,259
Astir -----	5,324
Netherlands (2 ships)-----	1,615
Meike -----	500
Tempo -----	1,115
Panamanian (2 ships)-----	17,543
**Ampuria (trips to Cuba as the Roula Maria—Greek)-----	10,608
**Robertina (trips to Cuba as the Anacreon—Greek)-----	6,935
Finnish (1 ship)-----	4,779
Someri -----	4,779
Guinean (1 ship)-----	852
**Drame Oumar (trip to Cuba as the Neve—French)-----	852
Maltese (1 ship)-----	5,333
Timios Stavros (previous trips to Cuba—British and Greek)-----	5,333
Moroccan (1 ship)-----	3,214
Marrakech -----	3,214
Pakistani (1 ship)-----	8,708
**Maulabakhsh (trips to Cuba as the Phoenix Dawn and East Breeze—British)-----	8,708

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuban trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessels under their control will thenceforth be employed in the Cuban trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuban trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

See footnotes at end of document.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage	Number of ships
a. Since last report:		
Avisfaith (British)-----	7,868	
b. Previous reports:		
Flag of registry:		
Flag of registry (total)-----		137
British -----		48
Cypriot -----		4
Danish -----		1
Finnish -----		4
French -----		4
German (West)-----		1
Greek -----		31
Israeli -----		1
Italian -----		13
Japanese -----		1
Kuwaiti -----		1
Lebanese -----		9
Liberia -----		1
Moroccan -----		2
Norwegian -----		5
Singapore -----		1
Somali -----		1
Spanish -----		6
Swedish -----		1
Yugoslav -----		2

SEC. 3. The following number of vessels have been removed from this list, since they have been broken up, sunk, or wrecked.

a. Since last report:	Gross tonnage
Kolacin (Yugoslav)-----	7,217
Nancy Dee (British)-----	6,597
b. Previous reports:	
Flag of registry:	Broken up, sunk, or wrecked
British -----	26
Cypriot -----	44
Finnish -----	5
French -----	1
Greek -----	18
Italian -----	4
Japanese -----	1
Lebanese -----	36
Maltese -----	2
Monaco -----	1
Moroccan -----	1
Norwegian -----	1
Pakistan -----	1
Panamanian -----	7
Singapore -----	1
Somali -----	1
South Africa -----	2
Swedish -----	1
Yugoslav -----	6
Total -----	169

SEC. 4. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through July 30, 1971.

Flag of registry	1963	1964	1965	1966	1967	1968	1969	1970	1971			Total
									Jan.- April	May	June	
British.....	133	189	126	161	78	62	45	63	11	2	701	
Cypriot.....		1	17	27	42	63	115	193	59	16	839	
Lebanese.....	64	91	63	23	16	4	1				275	
Greek.....	33	27	23	27	29	7					212	
Italian.....	16	20	21	11	11	10	15	13	4	1	125	
Yugoslav.....	12	11	16	10	14	9	6	7	3	1	83	
French.....	8	9	9	10	10	4	2	5	1		53	
Finnish.....	1	4	5	11	12	8	2	1			44	
Spanish.....	0	17									26	
Norwegian.....	14	10									24	
Moroccan.....	9	13									22	
Maltese.....		2	6	1	4	5	1	2	1		23	
Somalia.....					2	11	7	4		1	23	
Netherlands.....		4	2								6	
Sweden.....	3	3									6	
Kuwaiti.....		2	1								3	
Israeli.....			2								2	
Japanese.....	1					1					2	
Danish.....	1										1	
German (West).....	1										1	
Haitian.....			1								1	
Monaco.....				1							1	
Subtotal.....	371	334	250	224	215	204	197	235	70	20	2,289	
Polish.....	18	10	12	10	11	7	2	3		1	80	
Grand total.....	389	410	322	234	229	211	199	238	70	21	2,373	

NOTE: Trip totals in section 4 exceed ship totals in sections 1 and 2 because some of the ships made more than one trip to Cuba. Monthly totals subject to revision as additional data becomes available.

\*Added to Report No. 114 appearing in the FEDERAL REGISTER, issue of July 29, 1971.

\*\*Ships appearing on the list which have made no trips to Cuba under the present registry.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

Dated: September 23, 1971.

JAMES S. DAWSON, Jr.,  
Secretary, Maritime Administration.

[FR Doc. 71-14529 Filed 10-5-71;8:45 am]

## DEPARTMENT OF COMMERCE

Office of Import Programs  
HARVARD UNIVERSITY

### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket Number: 71-00142-33-46500. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, MA 02138. Article: Ultramicrotome, Model LKB 4800. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used in research which deals with various phenomena relating to the developing nervous system. The programs concern the histogenesis of normal and mutant central nervous system and the cellular interactions in the developing central nervous system requiring ultrathin serial sections.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States at the time the foreign article was ordered (August 15, 1969).

Reasons: Captioned application is a resubmission of Docket Number 70-00370-33-46500 which was received on December 11, 1969, and denied without prejudice to resubmission due to deficiencies contained therein. The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument available at the time the foreign article was ordered was the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated January 5, 1971, that a minimum thickness capability of less than 100 angstroms is pertinent to the applicant's research studies.

We, therefore, find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of

equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the foreign article was ordered.

SETH M. BODNER,  
Director, Office of  
Import Programs.

[FR Doc.71-14599 Filed 10-5-71;8:45 am]

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00186-73-07795. Applicant: National Aeronautics and Space Administration, Manned Spacecraft Center, R and D Procurement Branch, Houston, Tex. 77058. Article: Hasselblad electric data camera system. Manufacturer: Goteburg Co., Sweden.

Intended use of article: The article will be used for a series of Apollo lunar landing flights, photo-optical coverage will be used during the period of time the Command and Service Module (CSM) which contains the astronauts, is in Earth orbit, and during the time the CSM is en route to and returning from the Moon.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the required gross weight, battery operation, 70 millimeter (mm) thin base film magazine with a capacity for 120 exposures on one roll of film, and a glass reseal plate permanently installed in the camera body. These capabilities are pertinent to the purposes for which the foreign article is intended to be used. We are advised by the National Bureau of Standards (NBS) in its memorandum dated January 15, 1971, that it knows of no comparable camera system being manufactured in the United States.

SETH M. BODNER,  
Director,  
Office of Import Programs.

[FR Doc.71-14600 Filed 10-5-71;8:46 am]

## OCCUPATIONAL CENTRE

### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00216-98-26000. Applicant: Occupational Centre, Boces Alleg. Country, Belmont, N.Y. 14813. Article: Theory of electricity device. Manufacturer: Dr. Clemenz, West Germany.

Intended use of article: The article will be used in classes for teaching the basic theory of electricity by having the students construct electrical articles.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a means of demonstrating electrical phenomena to students, through construction by the students of alternating and direct current generators, three-phase motors, etc. We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 21, 1970, that it knows of no instrument or apparatus being manufactured in the United States, which is capable of fulfilling the purposes for which the foreign article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,  
Director,  
Office of Import Programs.

[FR Doc.71-14601 Filed 10-5-71;8:46 am]

## UNIVERSITY OF CALIFORNIA

### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00222-75-65600. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, NM 87544. Article: High voltage power supply. Manufacturer: Emile Haefely Co., Ltd., Switzerland.

Intended use of article: The article is designed to produce 750 kilovolts of potential and at the same time to deliver 13 milliamperes of current.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a 750 kilovolt direct current with a ripple of less than 300 volts peak to peak. We are advised by the National Bureau of Standards (NBS) in its memorandum dated January 14, 1971, that the characteristics described above are pertinent to the applicant's intended use of the article as a source for the preinjector of a large particle accelerator. NBS further advises that it knows of no comparable domestic instrument that could be used for the applicant's intended purposes.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,  
Director,

Office of Import Programs.

[FR Doc.71-14602 Filed 10-5-71; 8:46 am]

## UNIVERSITY OF ILLINOIS

### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00248-91-28600. Applicant: University of Illinois, Office of Business Affairs, Chicago Circle, Post Office Box 4348, Chicago, IL 60680. Article: SIRIGOR Gas-exchange chamber. Manufacturer: Siemens A.G., West Germany.

Intended use of article: The article will be used for research on many species of plants having wide geographic ranges

spreading over an array of habitats. Field measurements of CO<sub>2</sub> exchange rates for natural arctic, alpine, and temperate populations will be made during the summers (growing season). Controlled environmental studies will be made during the academic months.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated February 12, 1971, that the integrated design, portability and compactness of the article are pertinent to the applicant's research studies. HEW further advises, that it knows of no comparable domestic instrument which is scientifically equivalent to the foreign article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,  
Director,

Office of Import Programs.

[FR Doc.71-14603 Filed 10-5-71; 8:46 am]

## UNIVERSITY OF NEBRASKA

### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket Number: 71-00193-98-75000. Applicant: University of Nebraska, Lincoln, Nebr. 68503. Article: Two each soil heat flux plates. Manufacturer: Middleton & Co., Pty., Ltd., Australia. Intended use of article: The article will be used in a research program related to study of energy transfer at the earth's surface. The flow of thermal energy into and out of soil will be measured.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is a small unit (1 7/8" x 1 1/2" x 3/4"). The smaller the unit the smaller the disturbance in the normal heat flux being measured. In

addition, the article is not affected by temperature changes in the environment within the range of expected soil temperatures. The most closely comparable domestic instruments are the soil heat flux plates manufactured by Beckman-Whitley, Incorporated (Beckman-Whitley). To be used for the applicant's measurements, the Beckman-Whitley plates would either require temperature compensation to be built in by the applicant or the data would have to be corrected point by point. In order to correct the output, a separate measurement of temperature would be required at the position of the flux plate. We are advised by the National Bureau of Standards (NBS) in a memorandum dated February 4, 1971 that the small size and temperature stability of the article are pertinent to the applicant's research studies. NBS further advises that it knows of no domestically available soil heat flux plates that can provide the pertinent features of the foreign article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,

Director, Office of Import Programs.

[FR Doc.71-14604 Filed 10-5-71; 8:46 am]

## ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-398, 50-399]

### PACIFIC GAS AND ELECTRIC CO.

#### Notice of Receipt of Application for Construction Permits and Facility Licenses; Time for Submission of Views on Antitrust Matter

Pacific Gas and Electric Co., 77 Beale Street, San Francisco, CA 94106, pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application dated August 19, 1971, for authorization to construct and operate two single-cycle, forced circulation, boiling water nuclear reactors on a 409-acre site located on the Pacific Ocean, adjacent to the city of Point Arena in Mendocino County, Calif. The proposed site is located midway between San Francisco and Eureka.

The proposed facilities are designated by the applicant as the Mendocino Power Plant Units 1 and 2. Each reactor is designed for initial operation at approximately 3,323 megawatts (thermal) with a gross electrical output of approximately 1,168 megawatts.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within 60 days after September 22, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, and at the

Public Information Office in the Commission's San Francisco Office at 2111 Bancroft Way, Berkeley, CA 94704. A copy has also been sent to the Mendocino County Library, 108 West Clay Street, Ukiah, CA 95482.

Dated at Bethesda, Md., this 14th day of September 1971.

For the Atomic Energy Commission.

FRANK SCHROEDER,  
Deputy Director,

Division of Reactor Licensing.

[FR Doc.71-13793 Filed 9-21-71;8:45 am]

[Docket No. 50-397]

### WASHINGTON PUBLIC POWER SUPPLY SYSTEM

#### Notice of Receipt of Application for Construction Permit and Facility License; Time for Submission of Views on Antitrust Matters

Washington Public Power Supply System, 130 Vista Way, Kennewick, WA 99336, pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application dated August 10, 1971, for authorization to construct and operate a single-cycle, forced circulation, boiling water nuclear reactor on a site leased from the U.S. Atomic Energy Commission and located within the Commission's Hanford reservation in Benton County, Wash. The proposed site, which is 3 miles from the Columbia River, is about 12 miles north of the city of Richland, Wash., and is approximately 21 miles northwest of Kennewick and 18 miles northwest of Pasco.

The proposed nuclear reactor, designated by the applicant as Hanford No. 2, is designed for operation at approximately 3,323 megawatts (thermal) with a net electrical output of approximately 1,110 megawatts.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within 60 days after September 22, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and a copy has been sent to the Richland Public Library, Swift and Northgate Streets, Richland, WA 99352.

Dated at Bethesda, Md., this 13th day of September 1971.

For the Atomic Energy Commission.

FRANK SCHROEDER,  
Deputy Director,

Division of Reactor Licensing.

[FR Doc.71-13792 Filed 9-21-71;8:45 am]

## CIVIL AERONAUTICS BOARD

[Docket No. 22700; Order 71-10-1]

### AIR WISCONSIN INC. AND VIKING INTERNATIONAL AIRFREIGHT, INC.

#### Order Denying Application

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of October 1971.

On October 30, 1970, Air Wisconsin Inc. (Air Wisconsin), an air-taxi operator, filed an application for a 3-year waiver from the tariff-filing exemption granted to air-taxi operators in Part 298 of the Board's Economic Regulations. Viking International Airfreight, Inc. (Viking), joined in the petition of Air Wisconsin by a filing of December 9, 1970. A motion for leave to file an answer, and an answer in support of the application, were filed by the National Air Transportation Conferences, Inc. (NATC), on behalf of 27 individual members of NATC. In addition, approximately 40 letters, primarily from shippers, have been received in support of the application.

The applicants seek the waiver so that they may file local freight tariffs, including governing rules and regulations and rates and charges, for airfreight services. In support thereof, Air Wisconsin states that increased protection will be afforded to both the carrier and shippers, and Viking asserts that stability in the industry will be fostered by tariff filings on the part of the air-taxi operators.

NATC takes the position that air-taxi operators have the discretionary right to file rates and rules tariffs and additionally to comply with section 403 of the Federal Aviation Act of 1958 and Part 221 of the Board's Economic Regulations. Although the air-taxi industry as a whole is not ready to assume the burden of filing tariffs, NATC believes the proposal here is a step in the right direction in terms of aiding future development. NATC also states that tariff filings would provide limitations on the carriers' liability<sup>1</sup> and the protection afforded under sections 403 and 404 of the Act to shippers utilizing the presently exempted air-taxi operators.

Upon consideration of all relevant matters, the Board has determined to deny the application. In our judgment, considerations of fundamental tariff policy preclude the filing of tariffs on the voluntary basis proposed. As a matter of law, the tariff establishes the charges, terms, and conditions of the transportation offered by the carrier. As such, the tariff overrides any inconsistent private understandings that may exist as between the user of the service and the air

carrier. There is what amounts to an irrebuttable presumption that the user has knowledge of the existence of the tariff and of the fact that its provisions are binding upon both user and carrier. This presumption in turn is predicated upon the provisions of the Act which require air carriers to file tariffs and provide for adherence thereto. In the case of air-taxi operators, the Board has found that it would be an undue burden upon that class of carrier to require the filing of tariffs, and the Board's regulations accordingly exempt air-taxi operators from the tariff filing requirements. While an exemption is generally permissive, the Board has never permitted air-taxi operators to file tariffs on the theory that the public cannot be regarded as having notice of a tariff that is not required to be filed. Accordingly, NATC's position that air-taxi operators have the discretionary right to file rates and rules tariffs under the present regulations must be rejected.

The foregoing considerations also require that we deny the requested "waiver" of the tariff filing exemption for Air Wisconsin and Viking. In our judgment, a policy of permitting some carriers to file tariffs while exempting the class as a whole would inevitably mislead the public. A user dealing with the carriers should have the right to rely upon the Board's published regulations which do not currently provide for the filing of tariffs by air taxi operators except in two respects not material here. Any modification of these provisions should affect the entire class of carrier, or a distinct subclassification. On the basis of the filings before us, it does not appear that the imposition of tariff filing requirements on the air taxi or air commuter industries would be warranted. Under these circumstances, the Board believes it would not be in the public interest to provide ad hoc tariff filing authority to those carriers who believe it would be in their own business interests to make such filings while permitting the rest of the class to avoid the burden. In this connection, we note that the tariff filing requirements are essentially designed to protect the public interest and not the corporate interests of the air carriers. If a tariff filing requirement is in the public interest, the determination as to whether or not to file such tariff should not be at the election of the carrier.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a) and 416 thereof: *It is ordered*, That:

1. The applications of Air Wisconsin Inc. and Viking International Airfreight, Inc. in Docket 22700 are hereby denied.

2. The motion of the National Air Transportation Conferences, Inc., to file an answer herein is granted.

<sup>1</sup> NATC states that at present exposure to unlimited liability exists by virtue of the application of common-law standards.



3. A copy of this order will be served upon Air Wisconsin Inc., Viking International Airfreight, Inc., and National Air Transportation Conferences, Inc.

This order will be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

[FR Doc.71-14642 Filed 10-5-71;8:48 am]

[Docket No. 23424]

## BRITISH OVERSEAS AIR CHARTER LTD.

### Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the public hearing in the above-entitled matter now assigned to be held on October 6, 1971, is hereby postponed to December 8, 1971, at 10 a.m. (local time) in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned Examiner.

Dated at Washington, D.C., September 30, 1971.

[SEAL] JAMES S. KEITH,  
Hearing Examiner.

[FR Doc.71-14640 Filed 10-5-71;8:48 am]

[Docket No. 22937]

## EASTERN AIR LINES, INC.

### Notice of Postponement of Procedural Dates and Prehearing Conference

Application of Eastern Air Lines, Inc., for amendment of its certificate of public convenience and necessity for route 6 so as to delete Akron-Canton, Ohio.

Upon request of Eastern Air Lines, Inc., consented to by all other parties, notice is hereby given that the prehearing conference in the above-entitled proceeding now assigned to be held on October 12, 1971, is postponed to October 26, 1971, at 10 a.m. (local time) in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned Examiner.

Statements of proposed issues and requests for evidence will be due on October 15, 1971.

Dated at Washington, D.C., September 30, 1971.

[SEAL] JOHN E. FAULK,  
Hearing Examiner.

[FR Doc.71-14641 Filed 10-5-71;8:48 am]

## CIVIL SERVICE COMMISSION

### FINANCIAL ANALYST, FEDERAL POWER COMMISSION

#### Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage for the single position of Financial Analyst, GS-1160-14,

Office of Accounting and Finance, Division of Finance and Statistics, Federal Power Commission, Washington, D.C. The finding is self-cancelling when the position is filled.

Assuming other legal requirements are met, an appointee to this position may be paid for the cost of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
Executive Assistant to  
the Commissioners.

[FR Doc.71-14626 Filed 10-5-71;8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

### N<sup>3</sup>,N<sup>3</sup>-DIETHYL 2,4-DINITRO-6-TRIFLUOROMETHYL-1,3-PHENYLENE-DIAMINE

#### Notice of Establishment of Temporary Tolerance

U.S. Borax Research Corp., 412 Crescent Way, Anaheim, CA 92801, submitted a petition requesting a temporary tolerance for residues of the herbicide N<sup>3</sup>,N<sup>3</sup>-diethyl 2,4 - dinitro-6-trifluoromethyl-1,3-phenylenediamine in or on the raw agricultural commodities cottonseed and soybeans at 0.05 part per million.

It has been determined that a temporary tolerance of 0.05 part per million for residues of the herbicide in or on cottonseed and soybeans is safe and will protect the public health. It is therefore established on condition that the herbicide be used in accordance with the temporary permit which is being issued concurrently by the Environmental Protection Agency and which provides for distribution under the U.S. Borax Research Corp. name.

This temporary tolerance expires September 29, 1972.

This section is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), the authority transferred to the Administrator (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs of the Environmental Protection Agency (36 F.R. 9038).

Dated: September 29, 1971.

WILLIAM M. UPHOLT,  
Deputy Assistant Administrator  
for Pesticides Programs.

[FR Doc.71-14595 Filed 10-5-71;8:45 am]

### PESTICIDES CONTAINING CHLORDANE AND HEPTACHLOR

#### Request for Submission of Views With Respect to Uses

This Agency has the responsibility for the continuous review of all registered economic poisons pursuant to the provi-

sions of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.) (FIFRA). Of particular concern in this process are pesticides which are persistent and cause or can cause contamination of the environment and damage to various life forms within it. Chlordane and heptachlor are two such pesticides.

Notice is hereby given that this Agency is initiating an extensive review as to the registrations of products containing chlordane and heptachlor. The function of this review is to identify which, if any, of the presently registered products containing chlordane and heptachlor present substantial questions of safety that should trigger the administrative process of cancellation.

This review is being conducted on a use-by-use basis. Although all registered uses are being considered, areas of particular concern include the following uses: (1) Soil insect control; (2) household insect control; (3) termite control; (4) foliage insect control; and (5) lawn management.

This notice is to afford interested persons an opportunity within 60 days of publication to submit their views on uses of chlordane and heptachlor compounds subject to registration under the FIFRA. This refers to uses for which notices of cancellation or registration have not been issued. When preparing and submitting views or comments, the following items should be in the submission: (1) Use pattern, i.e., crops or articles treated, formulations, and rates of application; (2) data in relation to environmental contamination or other hazards of use; (3) the pest control achieved, including expected damage without the use of chlordane or heptachlor compounds, and (4) substitutes that are available with comments on the safety and effectiveness of use.

On July 31, 1970, the U.S. Department of Agriculture, Agricultural Research Service, published a notice requesting the submission of views with respect to uses of certain pesticide chemicals, including chlordane and heptachlor (35 F.R. 12293). The notice requested comments on the need for these chemicals in order to determine if certain uses were essential and if there were effective and safe substitutes. Since the publication of this notice and the submission of views, responsibility for the administration of the FIFRA has been transferred to this Agency. Views and comments submitted to the U.S. Department of Agriculture in connection with the July 31, 1970, notice are available to this Agency and will be considered in connection with the review being conducted by this Agency. Therefore, information submitted to the U.S. Department of Agriculture in response to the July 31, 1970, notice need not be resubmitted to this Agency.

It is emphasized that the primary purpose of the review presently being conducted by this Agency is not to determine essentiality of use of these pesticides but, rather, to determine if use of any of the presently registered products present substantial questions of safety.

## NOTICES

If any use raises a substantial question of safety, notices of cancellation will be issued with respect to such products to initiate the administrative process of cancellation. A cancellation of registration becomes effective 30 days following receipt of the notice unless the statutory process of review is initiated by the registrant.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same in triplicate with the Deputy Assistant Administrator for Pesticides Programs, Environmental Protection Agency, Washington, D.C. 20460, within 60 days after the date of publication of this notice in the FEDERAL REGISTER. Please make reference in any submission to "F.R. Chlordane and Heptachlor Notice."

Dated: September 29, 1971.

WILLIAM M. UPHOLT,  
Deputy Assistant Administrator  
for Pesticides Programs, Office  
of Pesticides Programs.

[FR Doc.71-14620 Filed 10-5-71;8:47 am]

## FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL  
RESPONSIBILITY (OIL POLLUTION)

## Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 11(p) (1) of the Federal Water Pollution Control Act, as amended, and, accordingly, have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	Owner/Operator and vessels
01039---	Dennorske Amerikaline A/S: Lyngstjerd.
01361---	Transportacion Maritima Mexicana S.A.: Merida.
01465---	Scottish Ship Management, Ltd.: Cape Hawke.
02001---	Rederiktlebolaget Transatlantic: Cortina. Sestriere.
02146---	Pittston Marine Corp.: W. A. Weber.
02147---	Mathiasen's Tanker Industries, Inc.: Sohio Intrepid.
02161---	Seetransport - Und Bereederungs G.m.b.H.: Atlantic Clipper.
02209---	Flota Mercante Grancolombiana S.A.: Ciudad de Manizales. Ciudad de Manta. Ciudad de Medellin.
02210---	American Mail Line, Ltd.: Washington Mail.
02330---	Oriental Shipping Corp.: Asia Gold.
02415---	Doro-Schiffahrtsgesellschaft mbH & Co. K.G.: Mondo.
02416---	Boland & Cornelius, Inc.: H Lee White. Adam E. Cornelius. Detroit Edison. John J. Boland. William A. Reiss. Richard J. Reiss. John T. Hutchinson. Charles C. West. Diamond Alkali. Raymond H. Reiss. Consumers Power. Joseph S. Young. George D. Goble. Nicolet. Ben W. Calvin. J. F. Schoellkopf. Chicago Trader. Fred A. Manske. John A. Kling. United States Gypsum. Peter Reiss. Harris N. Snyder. John P. Reiss. Hennepin. Jack Wirt. J. L. Reiss. Joe S. Morrow. Otto M. Reiss. W. E. Fitzgerrald. McKee Sons.
02418---	Sidermar S.P.A.: Vela. Eleades.
02496---	U.S. Steel Corp.: Hughes No. 534.
02554---	Hall Line, Ltd.: City of Glasgow.
02712---	Tarpon Towing, Inc.: TC-9.
02721---	Healy Tibbitts Construction Co.: H.T. No. 3. H.T. No. 5. H.T. No. 6. H.T. No. 7. H.T. No. 9. H.T. No. 43. Pt. Orient. Pt. Bonita.
02836---	Scindia Steam Navigation Co. Ltd.: Jalamohan.
02891---	Harbor Towing Corp.: Central.
02990---	Tota Shipping Co. S.A.: Navishipper.
03162---	Saint Constantine Maritime Co. Monrovia, Liberia: St. Constantine.
03321---	Marunouchi Kisen K.K.: Miyazaki Maru.
03456---	K.K. Maruni Shokai: Shohaku Maru.
03648---	The Chesapeake and Ohio Railway Co.: Cardfloat No. 5. Cardfloat No. 4. Cardfloat No. 3. Cardfloat No. 2. S.S. Badger No. 43. S.S. Spartan No. 42. City of Midland No. 41. City of Saginaw No. 31. Pere Marquette No. 22. Pere Marquette No. 21. Pere Marquette No. 10.
03836---	Splosna Plovba: Logatec.
03887---	Vest Transportation Co., Inc.: IBS29.
03980---	Moran Towing & Transportation Co., Inc.: M. Moran.
04126---	Jugoslavenska Linijska Plovidba Rijeka: Bakar.

Certificate No.	Owner/Operator and vessels
04198---	Megaron Shipping, Ltd.: Ergon.
04247---	Kellys Lumber Yard, Ltd.: Betty K IV.
04363---	Ship Channel Management, Ltd.: Island Cement.
04436---	Barge Rentals, Inc.: BRI-8. BRI-7.
05010---	Mt. Vernon Barge Cleaning, Inc.: MVBC-1.
05184---	Universal Services, Inc.: 4802.
05244---	Hanseatische Hochseefischerel Aktiengesellschaft: Weser. Tiko I. Erich Ollenbauer. Seefahrt.
05471---	Belcher Oil Co.: Belcher Port Manatee No. 23.
05573---	Companhia de Navegacao Carregadores Acroanos S. A. R. L. Ribeira Grande.
05574---	Williams Drilling Co. Inc.: Williams Rig No. 2. Williams Rig No. 3. Williams Rig No. 5. Williams Rig No. 6. Williams Rig No. 7. Williams Rig No. 8. Williams Rig No. 9. Williams Rig No. 11.
M-05688	Southern Scrap Material Co., Ltd.: Vessels held for purposes of construction, scrapping or sale, but not including vessels over 10,000 gross tons.
05704---	Murmansk Steamship Co.: Dimitrovo. Dagistan. Dashava. Donskoy. Dneprodzerzhinsk. Dedovsk. Dudinka. Dobropolje. Dorogobuzh. Ob. Zarechensk. Zvenigorod.
05792---	Korea Wonyang Fisheries Co., Ltd.: No. 3 Chilibosan. No. 1 Chilibosan. No. 2 Chilibosan.
05818---	Union Pacific Shipping Co., Inc.: Golden Crown.
05845---	Shinto Kaifu K.K.: Shinto Maru.
05935---	Anaqua Corp. of Panama: Anaqua.
06028---	Fulmen Compania Naviera S.A.: Fulmen.
06034---	Sincere Industrial Corp.: Sincere No. 3. Sincere No. 2. Sincere No. 1. Tsen Hsing.
06045---	Southern Materials Co.: Floating Plant No. 18. Floating Plant No. 12. Conditioning Barge. Work Rig. Plant No. 3.
06087---	Pacific Offshore Navigation, Ltd.: Samarinda.
06118---	Marcaminos Atlanticos Navegacion SA: Naxos Island.
06162---	Interocean Shipping Co. S.A. Panama: Anna B.

\* Termination date: October 23, 1971.



No.	Owner/Operator and vessels
06164---	Dr. August Oetker Schiffahrts-und Betelligungsgesellschaft mbH: Columbus America. Columbus Australia.
06167---	Kaps Transport, Ltd.: Barge. Barge. Barge. Beaufort Sea Explorer.
06185---	Enterprise Shipping Corp. S.A.: Oswego Tarmac.
06211---	Carl O. McNab: Rotha Lynn.
06225---	Stapp Towing Co. Inc.: Lisa. Colleen.
06231---	Omala Shipping Co. S.A.: Niki.
06233---	Kabushiki Kaisha Nikko: Nikko Maru No. 15.
06234---	Kokusai Gyogyo Kabushiki Kai- sha: Anyo Maru.
06235---	Eretrian Shipping Co., Inc., Mon- rovia: Dellian Apollon.
06236---	Samian Shipping Co., Inc., Mon- rovia: Dellian Leto.
06237---	Cardamyllian Shipping Co., Inc., Monrovia: Dellian Spirit.
06238---	Euboean Shipping Co., Inc., Mon- rovia: Santa Anna.
06239---	Cycladic Shipping Co., Inc., Mon- rovia: Santa Fotini.
06240---	Kalinnian Shipping Co., Inc., Monrovia: Delphic Miracle.
06247---	Armatrice Santa Cristina S.P.A.: Santa Rosalia.
06249---	Carnation Shipping Co. S.A.: Carnation.
06250---	Valmont Shipping Co.: Valmont.
06251---	Denizcilik Anonim Sirketi: Ata.
06255---	Investment Finance Trust, Ltd.: Ocean Trader.
06256---	Ancla Maritima S.A.: John Lyras.
06259---	Simfonia Compania Naviera S.A.: Simfonia.
06263---	Alco Shipping Corp. S.A. of Panama: Notis.
06264---	Elpana Shipping Co. S.A. of Panama: Persa Lydia.
06265---	Pyxis Compania Naviera S.A.: Byzantine Monarch.
06267---	Athelceptre Tankers Co., Ltd.: Anco Sceptre.
06268---	Agelef Compania Naviera S.A.: Fronists.
06269---	Paul & Helen Suchko t/a S & P Towing, Inc.: Walker 23. SP 241.
06274---	Fotis C. Georgopoulos: Nissos Skyros.
06275---	Eastern Freedom Shipping Co.: Pacprincess.
06277---	Compania Elarb S.A. Panama: Panky.
06280---	Century Transportation Corp.: York.
06281---	Virgo Shipping Co.: World Honour.
06282---	Avondale Shipyards, Inc.: Avon, Sr. No. 5.

## Certificate

No.	Owner/Operator and vessels
06292---	K.S./A.S. Explorer Co.: Landblad Explorer.
06295---	Australian Tankships (Panama) S.A.: Halekulani.
06297---	Astir Reederei G.m.b.H. & Co. KG.: Aegis Bravery.

By the Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 71-14665 Filed 10-5-71; 8:49 am]

[Docket No. 71-69]

## BUREAU OF INDIAN AFFAIRS

## Denial of Exemption

Pursuant to section 35 of the Shipping Act, 1916, on July 12, 1971, the Commission filed a notice of proposed rule making to exempt the Bureau of Indian Affairs (BIA), when acting as operator of the vessel North Star III (North Star), in the Alaskan trade, from the filing requirements of section 2 of the Intercoastal Shipping Act, 1933, and section 18(a) of the Shipping Act, 1916 (Shipping Acts). In response to this notice of proposed rule making, five comments were received, of which only one did not oppose the exemption (that of Sea-Land Service, Inc.). Hearing Counsel would also grant the exemption.

The BIA, an agency under the supervision of the Secretary of the Interior (43 U.S.C.A. sec. 1457), owns and operates the North Star. The BIA transports general cargo on the North Star with preference given the cargo of BIA, between Seattle, Wash., and stations of the BIA and other government agencies in Alaska. Although the main user of the service is the BIA itself, BIA officials indicate that the service may be used by anyone. The BIA publishes four tariffs, although none is filed with the FMC, setting forth rates and regulations applicable to government agencies, non-government cargo, lighterage and longshoring rates, and terminal and related activities performed by BIA at its Seattle terminal.

The North Star has been held to be a common carrier in two court decisions, "Alaska Native Industries Cooperative Assoc. v. U.S.," 206 F.Supp. 767, 771 (W.D. Wash. 1962); and "U.S. v. Briggs Manufacturing Co.," Civil No. 7224, decided December 12, 1969 (W.D. Wash.). The BIA claims it is not subject to the filing requirements of the Shipping Acts since, according to the Bureau, a Federal agency is not considered within the purview of a statute unless the intention to include is clearly manifest.

Notwithstanding the lack of a clearly manifest intent to include the sovereign within the purview of the Shipping Acts, this Commission has, in fact, exercised jurisdiction over the United States, as in Docket No. 66-42, "In the Matter of the Carriage of Military Cargo," 10 F.M.C. 69 (1966), where the Department of Defense, acting as a shipper, was named

as respondent. The U.S. Supreme Court, in addressing itself to the issue of sovereign exemption from statutes, said in "U.S. v. Herron," 87 U.S. 251, 255 (1853):

Where an act of Parliament is made for the public good, as for the advancement of religion and justice, or to prevent injury and wrong, the king is bound by such act, though not particularly named therein; \* \* \*

There can be no question that the filing requirements found in the Shipping Acts for the purpose of preventing unjust discrimination against shippers are acts made for the public good or to prevent injury and wrong, and thus bind the sovereign.

The standards for the granting of an exemption, as contained in section 35, are that such exemption will not: (1) Substantially impair effective regulation by the FMC; (2) be unjustly discriminatory; or (3) be detrimental to commerce.

Hearing Counsel, in urging that the exemption be granted, claim that with respect to the above criteria, the BIA when operating the North Star has not been regulated by this Commission in the past. The Commission has never received a shipper's protest against BIA's rates and/or practices, and although Northland Marine Lines, Inc. has questioned in writing the lawfulness of BIA's "commercial" operation, it did not allege that it had in any way been damaged by BIA's failure to file a tariff. Hearing Counsel conclude that, based upon a study of the operations of the North Star, it appears that lack of FMC regulatory surveillance has not adversely affected the public interest. Hearing Counsel view the operations of the North Star as insignificant "in the overall design of regulation contemplated by the Act." Moreover, the BIA does have on file at its offices in Seattle, Wash., and Juneau, Alaska, with copies in Washington, D.C., its tariffs which it is required to establish and which Hearing Counsel claim satisfy the purpose of filing a tariff, i.e., the prevention of unjust discrimination against shippers.

Sea-Land Service, Inc., while not opposed to the proposed exemption, suggests that if one be granted, the scope of the North Star operation be indicated. Foss Alaska Line, Inc., B & R Tug and Barge, Inc., Northland Marine Lines, Inc., and Eggleston Towing Co., Inc. (hereinafter respondents) all object vigorously to the proposed exemption.

B & R Tug claims that it is in direct competitive service with BIA to several native villages, and that to exempt the BIA from its filing requirements would be a discriminatory act against B & R since it is required to file tariffs. The filing requirement for BIA, it is argued, is not a great inconvenience nor a costly burden and the exemption should not be granted.

Foss Alaska Line also claims that it is in direct competitive service with BIA to several areas, and takes the position that no carrier operations, whether by a government or private carrier, should be exempt from the filing requirements where there are one or more other carriers serving the same areas pursuant to

publicly filed tariffs. Only through the public filing requirements can the carriers who are required to have tariffs on file know what rates they must meet to remain competitive. Foss has no objection to an exemption limited to those areas where there are no other competing carriers.

Northland and Eggleston, in a joint comment, oppose the proposed exemption because it fails to meet the requirements of section 35 for such an exemption, viz, that it not substantially impair effective regulation by the Commission, that it not be unjustly discriminatory and that it not be detrimental to commerce.

North Star claims that a substantial part of its operations is in direct competition with Northland and Eggleston. Thus, it is argued, to exempt one competing carrier from tariff filing requirements under these circumstances would impair effective regulation by the Commission, would be unjustly discriminatory and would have a detrimental effect on commerce in the Alaska trade. Respondents refer to FMC Docket No. 68-33,<sup>1</sup> in which the Commission refused to exempt the State of Alaska Ferry System from the statutory tariff filing requirements with respect to nonpassenger commercial property.

Hearing Counsel, in answering the opponents of the exemption, argue that the exemption would not relieve the BIA of establishing a tariff open for public inspection since the publication and inspection requirements of BIA as defined in 25 CFR 254.2 would remain unchanged. The requirement is that a tariff be published and filed at BIA offices as set out above. The opponents, however, point out that if any "private carrier" advanced such an argument in support of the special relief requested, not only would such relief be denied, but the carrier would be fined and referred to the Department of Justice for prosecution.

Finally, those opposing the exemption point out that failure to comply with section 2 of the 1933 Act ipso facto exempts the BIA from the Commission's regulatory powers under section 3 of that Act. Similarly, the 1916 Act provides for enforcement of only those rates filed. Thus, immunity from tariff filing requirements carries with it immunity from meaningful regulation. Respondents conclude that if it is in the public interest to require regulation of the respondent carriers transporting cargo to Alaska, then it is just as much in the public interest to regulate the level of rates established by the BIA.

The Commission concludes that the proposed exemption should be denied, since it would not be in the public interest nor in accordance with the requirements of section 35.

In Docket No. 68-33, supra, the Commission, refusing to exempt the noncommercial operations of the State of Alaska Ferry System from the tariff filing requirements, said:

Tariffs must be filed for these commercial services so that the information with respect

to rates is freely available to shippers. Although it is true that the tolls are published by the Ferry System and that the Ferry System is subject to some extent to regulation by the State of Alaska, the Commission believes that a filing by the Ferry System here will provide needed protection for competitive commercial carriers and users of the Ferry. [at 3]

In the above proceeding, there were no objections to the proposed exemptions. In the instant proceeding, there are four vigorous protests to the proposed exemption, all of which are based on the contention that the protection given to competitive commercial carriers and shippers by the filing requirements of the Acts is not only necessary but in the public interest as well. Notwithstanding the fact that the BIA publishes its tariffs at its offices, it is our conclusion that a filing with the FMC with its concomitant regulatory effect is required.

In conclusion, we find that the proposed exemption would constitute more of a burden on the competitive carriers and shippers than any possible burden on BIA which a filing requirement would impose. Therefore, for the foregoing reasons, we conclude that the proposed exemption should not be granted and further that BIA be required to file its tariffs with the Commission.

*Therefore, it is ordered,* That the exemption of the Bureau of Indian Affairs from the filing requirements of the Shipping Acts be denied.

*It is further ordered,* That the Bureau of Indian Affairs file its tariffs with the Commission forthwith.

By the Commission.

[SEAL] FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-14664 Filed 10-5-71;8:49 am]

[Agreement T-2188, as amended]

## CERTAIN HAWAIIAN STEVEDORING COMPANIES

### Order Extending Expiration Date

Agreement No. T-2188, as amended, between certain Hawaiian stevedoring companies (employers) who are employers of members of the International Longshoremen's and Warehousemen's Union (ILWU), provides for a method by which the employers allocate between themselves the responsibility for and collection of necessary funds required under the Workforce Stabilization and Utilization Fund Agreement negotiated between the employers and the ILWU.

About June 28, 1971, the employers of the ILWU, faced with the possibility of a strike, negotiated an extension of their labor agreements and requested an extension of Agreement No. T-2188, as amended, until September 30, 1971, in anticipation of a settlement prior to that date.

The Commission granted this extension by order dated June 30, 1971.

Because of the prolonged West Coast longshoremen's strike and because the employers of the ILWU have not been able to negotiate a new labor agreement, they have requested an indefinite extension

of Agreement No. T-2188, as amended, on its present terms and conditions subject to cancellation upon notice by the parties to the Commission.

To permit the functioning of Agreement No. T-2188, as amended, and to prevent a strike, it is essential that the effective period of the agreement be extended as requested by the parties. Since no change in the competitive impact of Agreement No. T-2188, as amended, would be created by extending that agreement, we believe that the public interest requires that the request for an extension be granted forthwith.

*It is ordered,* That Agreement No. T-2188, as amended, be and is hereby extended for an indefinite period on its present terms and conditions subject to cancellation upon notice by the parties to the Commission.

*It is further ordered,* That a copy of this order shall be published in the FEDERAL REGISTER.

By the Commission, September 30, 1971.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-14662 Filed 10-5-71;8:49 am]

## FEDERAL POWER COMMISSION

[Docket No. CP72-8]

### COLUMBIA LNG CORP.

#### Order Granting Interventions, and Fixing Dates for Submission of Direct Case and Formal Hearing

SEPTEMBER 28, 1971.

On July 12, 1971, Columbia LNG Corp. (Columbia LNG) filed in Docket No. CP72-8 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of gas to Columbia Gas Transmission Corp. (Columbia). Columbia LNG states that it will purchase light hydrocarbon liquids from Dome Petroleum Corp. (Dome), a Canadian corporation, which will deliver the liquids to Columbia LNG at its reforming plant to be constructed at Green Springs, Ohio. Columbia LNG proposes to process the liquids into pipeline quality gas for which it seeks authorization to sell and deliver, to Columbia, the equivalent of 250,000 Mcf per day, at an estimated initial rate of \$1.1287 per Mcf.

Petitions seeking leave to intervene in these proceedings were timely filed by the Algonquin Gas Transmission Co., Humble Oil and Refining Co., New York State Electric and Gas Corp., Pacific Gas and Electric Co. (P.G. & E.),<sup>1</sup> Penn Fuel Gas, Inc., The Cincinnati Gas and Electric Co., jointly with the Union Light, Heat and Power Co., the Dayton Power and Light Co., Transcontinental Gas Pipe Line Corp., and Washington Gas Light

<sup>1</sup> P.G. & E. withdrew its Protest, Motion for Dismissal and in the Alternative Petition \* \* \* for Leave to Intervene by notice filed September 13, 1971.

<sup>1</sup> Exemption—State of Alaska Ferry System, final rules served September 23, 1968.

Co. A petition to intervene was filed late by UGI Corp.

Notices of intervention were timely filed by the city of Cincinnati, the Public Service Commission of the State of New York, and the Public Utilities Commission of Ohio.

A notice of intervention was filed late by The People of the State of California and the Public Utilities Commission of the State of California (California). Columbia LNG Corp. has answered California's notice, requesting dismissal thereof. We consider that California's participation is appropriate in the interest of developing a full record in these proceedings.<sup>2</sup>

Neither Columbia LNG nor any person whose intervention is herein granted has specifically requested that a formal hearing be convened in these proceedings. In our opinion, however, the novel legal and factual issues presented by Columbia LNG's application make a formal hearing mandatory. The extent of Commission jurisdiction over the proposed reforming plant, as well as over feedstock, its importation and transportation, remains unsettled. The Commission's responsibility with respect to environmental issues raised by the construction and operation of the reforming plant and feedstock pipeline is also unclear. Similarly, factual issues concerning, for example, the long term availability and cost of feedstock, cost impact and rate treatment of proposed gas sales require investigation. These, and other issues which may become apparent as the proceedings progress, can, in our opinion, be properly resolved only upon consideration of a full evidentiary record.

Columbia LNG's application in Docket No. CP72-8 seeks a certificate of public convenience and necessity only for the sale of gas from its proposed Green Springs reforming plant. In order to avoid the necessity of further proceedings should it be determined that certification of the construction and operation of the reforming plant is also required under section 7 of the Act, the applicant will present as part of its direct case testimony and evidence that would support such certification if indeed the plant were found to be subject to the jurisdiction of the Commission.

The Commission finds: (1) It is desirable to allow the above-named petitioners to intervene in these proceedings.

(2) It is necessary and appropriate that the proceedings in the above-named application be set for hearing.

The Commission orders: (A) Each of the above-named petitioners and State Commissions is permitted to intervene in these proceedings subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in the petitions to intervene: *And provided, further*, That the admission of such intervenors shall not be construed as recognition by

<sup>2</sup> On September 20, 1971, The People of the State of California and the Public Utilities Commission of the State of California filed a notice of withdrawal of intervention.

the Commission that they or any of them might be aggrieved by any order or orders entered in these proceedings.

(B) Applicant's direct case inclusive of the matter discussed on page 2, shall be filed and served on all parties on or before October 22, 1971.

(C) A formal hearing shall be convened in these proceedings entitled Columbia LNG Corp., Docket No. CP72-8, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC on November 9, 1971, at 10 a.m., e.s.t. The Chief Examiner will designate an appropriate officer of the Commission to preside at the formal hearing of these matters, pursuant to the Commission's rules of practice and procedure.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.71-14606 Filed 10-5-71;8:46 am]

[Project 1218]

### GEORGIA POWER CO.

#### Notice of Issuance of Annual License

SEPTEMBER 27, 1971.

On February 26, 1970, Georgia Power Co., Licensee for Flint River Project No. 1218 located on Flint River in Dougherty and Lee Counties, Ga., near the city of Albany, filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6).

The license for Project No. 1218 was issued effective January 1, 1933, for a period ending September 16, 1971. In order to authorize the continued operation of the project pursuant to section 15 of the Act pending completion of licensee's application and Commission action thereon, it is appropriate and in the public interest to issue an annual license to Georgia Power Co. for continued operation and maintenance of Project No. 1218.

Take notice that an annual license is issued to Georgia Power Co. (Licensee) under section 15 of the Federal Power Act for the period September 17, 1971 to September 16, 1972, or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Flint River Project No. 1218, subject to the terms and conditions of its license.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.71-14607 Filed 10-5-71;8:46 am]

[Docket No. CP72-65]

### LONE STAR GAS CO.

#### Notice of Application

SEPTEMBER 28, 1971.

Take notice that on September 16, 1971, Lone Star Gas Company (Applicant), 301 South Harwood Street, Dallas, TX 75201, filed in Docket No. CP72-65 a budget-type application pursuant to section 7(b) of the Natural Gas Act, as

implemented by § 157.7(e) of the regulations under said Act, for permission and approval to abandon, during the calendar year 1972, certain natural gas direct sales facilities no longer required for deliveries to Applicant's customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in abandoning service and removing direct sales measuring, regulating and related minor facilities. Applicant states that it will not abandon any service under this requested authorization unless it has received a written request, or written permission from the customer to terminate the service.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 20, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.71-14608 Filed 10-5-71;8:46 am]

[Docket No. RP72-43]

### NORTH PENN GAS CO.

#### Notice of Proposed Changes in Rates and Charges

SEPTEMBER 28, 1971.

Take notice that North Penn Gas Co. (North Penn), on September 17, 1971,

tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1, to become effective on October 20, 1971. The proposed rate changes would increase charges for jurisdictional sales by 0.493 cents per Mcf, based on volumes for the 12-month period ended August 31, 1971. The proposed increase would be applicable to North Penn's jurisdictional rate schedules, G-1 and P-1.

North Penn states that the reason for the proposed rate increase is an increase in its cost of purchased gas resulting from rate filings of its suppliers Consolidated Gas Supply Corp. in Docket No. RP71-126 and Transcontinental Gas Pipeline Corp. in Docket No. RP71-31. North Penn requests a waiver of the requirements of section 154.22 of the Commission's regulations under the Natural Gas Act should the effective date of its filing be postponed beyond the 60-day maximum notice period provided in that filing, due to operation of Executive Order No. 11615, issued August 15, 1971.

Copies of the filing were served on North Penn's customers and interested State Commissions.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 13, 1971, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

Any order or orders issued in this proceeding shall be subject to the Commission's Statement of Policy Implementing the Economic Stabilization Act of 1970 (Public Law 91-379, 84 Stat. 799, as amended by Public Law 92-15, 85 Stat. 38) and Executive Order No. 11615, including such amendments as the Commission may require.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.71-14609 Filed 10-5-71;8:46 am]

[Docket No. CP72-67]

## TRANSWESTERN PIPELINE CO.

### Notice of Application

SEPTEMBER 28, 1971.

Take notice that on September 17, 1971, Transwestern Pipeline Co. (Applicant), Southern National Bank Building, Houston, Texas 77002, filed in Docket No. CP72-67 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under said Act, for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1972, and operation of cer-

tain natural gas facilities to enable Applicant to take into its pipeline system supplies of natural gas which will be purchased from producers in the general area of its existing system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in contracting for and connecting supplies of natural gas to its pipeline system. The total cost of the facilities proposed herein is not to exceed \$6,800,000, with no single project costing in excess of \$1 million. Applicant states that these costs will be financed initially from funds generated by normal operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 20, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.71-14610 Filed 10-5-71;8:46 am]

## FEDERAL RESERVE SYSTEM

### MISSOURI BANCSHARES, INC.

#### Notice of Application for Approval of Acquisition of Shares of Bank

SEPTEMBER 29, 1971.

Notice is hereby given that application has been made, pursuant to section

3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by Missouri Bancshares, Inc., which is a bank holding company located in Kansas City, Mo., for prior approval by the Board of Governors of the acquisition by Applicant of 80 percent or more of the voting shares of the Bank of Jacomo, Blue Springs, Mo.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20561. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Kansas City.

Board of Governors of the Federal Reserve System, September 29, 1971.

[SEAL]

TYNAN SMITH,  
Secretary of the Board.

[FR Doc.71-14596 Filed 10-5-71;8:45 am]

## INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

### APPLICATION FOR RENEWAL PERMIT

#### Notice of Opportunity for Public Hearing

Application for Renewal Permit for Noncompliance with the Electric Face Equipment Standard specified in the Federal Coal Mine Health and Safety Act of 1969 has been received as follows:

ICP Docket No. 3045 000, HAZEL DELL COAL CORP., USBM ID NO. 11 00567 0, New Windsor, Mercer County, Ill., ICP Permit No. 3045 003 (Joy Loading Machine, Ser. No. 6612).

In accordance with the provisions of section 305(a)(7) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be completed in accordance with 30 CFR Part 505 (35 F.R. 11296, July 15, 1970), copies of which may be obtained from the panel on request.

Copies of renewal applications are available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Eighth Floor, 1730 K Street NW., Washington DC 20006.

GEORGE A. HORNBECK,  
*Chairman,*  
*Interim Compliance Panel.*

SEPTEMBER 30, 1971.

[FR Doc.71-14615 Filed 10-5-71;8:47 am]

## APPLICATIONS FOR RENEWAL PERMITS

### Notice of Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard specified in the Federal Coal Mine Health and Safety Act of 1969 have been received as follows:

ICP Docket No. 3080 000, IMPERIAL SMOKELESS COAL CO., Quinwood No. 7 Mine, USBM ID NO. 46 01474 0, Lelvasy, Nicholas County, W. Va., ICP Permit No. 3080 005 (Joy Loader, Ser. No. 9414) ICP Permit No. 3080 010 (Joy Cutting Machine, Ser. No. 17674).

In accordance with the provisions of section 305(a)(7) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742 et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be completed in accordance with 30 CFR Part 505 (35 F.R. 11296, July 15, 1970), copies of which may be obtained from the Panel on request.

Copies of renewal applications are available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, 8th Floor, 1730 K Street NW., Washington, DC 20006.

GEORGE A. HORNBECK,  
*Chairman,*  
*Interim Compliance Panel.*

SEPTEMBER 29, 1971.

[FR Doc.71-14617 Filed 10-5-71;8:47 am]

## APPLICATIONS FOR RENEWAL PERMITS

### Notice of Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard specified in the Federal Coal Mine Health and Safety Act of 1969 have been received as follows:

ICP Docket No. 3063 000, PEERLESS EAGLE COAL CO., Mine No. 1, USBM ID NO. 40 01478 0, Summersville, Nicholas County, W. Va., ICP Permit No. 3063 017 (Kersey Mine Tractor, Ser. No. 6013), ICP Permit No. 3063 018 (Kersey Mine Tractor, Ser. No. 6761).

In accordance with the provisions of section 305(a)(7) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be completed in accordance with 30 CFR Part 505 (35 F.R. 11296, July 15, 1970), copies of which may be obtained from the panel on request.

Copies of renewal applications are available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Eighth Floor, 1730 K Street NW., Washington, DC 20006.

GEORGE A. HORNBECK,  
*Chairman,*  
*Interim Compliance Panel.*

OCTOBER 1, 1971.

[FR Doc.17-14616 Filed 10-5-71;8:47 am]

## OVERSEAS PRIVATE INVESTMENT CORPORATION

### CONTRACTING OFFICERS

#### Redelegation of Authority

Redelegation of authority from the President, Overseas Private Investment Corp., regarding exercise of the authority of a contracting officer pursuant to title III of the Federal Property and Administrative Services Act (41 U.S.C. secs. 251, et seq.) and the Federal Procurement Regulations (Title 41, Code of Federal Regulations).

1. Pursuant to the authority delegated to me by the Board of Directors of the Overseas Private Investment Corp. through its duly adopted Bylaws, I hereby appoint Harry J. Tarut a Contracting Officer and redelegate to him authority to enter into and administer contracts pursuant to title III of the Federal Property and Administrative Services Act (41 U.S.C. secs. 251, et seq.) and the Federal Procurement Regulations (Title 41, Code of Federal Regulations) and make related determinations and findings.

2. I appoint Michael Cooper a contracting officer with full authority as set forth in paragraph 1, above, to act and fulfill said functions during the absence or nonavailability of Harry J. Tarut and as otherwise directed.

3. This redelegation is effective as of the date hereof and shall continue until further notice. The authority herein conferred may not be redelegated.

BRADFORD MILLS,  
*President.*

SEPTEMBER 28, 1971.

[FR Doc.71-14637 Filed 10-5-71;8:48 am]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

### NORTH AMERICAN RESOURCES CORP.

#### Order Suspending Trading

SEPTEMBER 30, 1971.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of North American Resources Corp. (a Delaware corporation), and all other securities of North American Resources Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 30, 1971, through October 9, 1971.

By the Commission.

[SEAL] RONALD F. HUNT,  
*Secretary.*

[FR Doc. 71-14618 Filed 10-5-71;8:47 am]

## SMALL BUSINESS ADMINISTRATION

[License No. 09/12-5155]

### OPPORTUNITY CAPITAL CORPORATION OF CALIFORNIA

#### Notice of Issuance of License To Operate as Minority Enterprise Small Business Investment Company

On July 23, 1971, a notice was published in the FEDERAL REGISTER (36 F.R. 13712) stating that Opportunity Capital Corporation of California, 101 Howard Street, San Francisco, CA 94105, had filed an application with the Small Business Administration, pursuant to § 107.102 of the SBA rules and regulations governing small business investment



companies (13 CFR 107.102 (1971)) for a license to operate as a minority enterprise small business investment company (MESBIC).

Interested parties were given to the close of business August 7, 1971, to submit their written comments to SBA.

Notice is hereby given that, having considered the application and all other pertinent information, SBA has issued License No. 09/12-5155 to Opportunity Capital Corp. of California, pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended.

Dated: September 24, 1971.

A. H. SINGER,  
Associate Administrator for  
Operations and Investment.

[FR Doc.71-14657 Filed 10-5-71;8:50 am]

[License No. 02/02-5290]

### CAPITAL FORMATION MESBIC, INC.

#### Notice of Issuance of License To Operate as Minority Enterprise Small Business Investment Company

On July 22, 1971, a notice was published in the FEDERAL REGISTER (36 F.R. 13644) stating that Capital Formation MESBIC, Inc., 5 Beekman Street, New York, NY 10038, had filed an application with the Small Business Administration, pursuant to § 107.102 of the SBA rules and regulations governing small business investment companies (13 CFR 107.102 (1971)) for a license to operate as a minority enterprise small business investment company (MESBIC).

Interested parties were given to the close of business August 6, 1971, to submit their written comments to SBA.

Notice is hereby given that, having considered the application and all other pertinent information, SBA has issued License No. 02/02-5290 to Capital Formation MESBIC, Inc., pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended.

Dated: September 24, 1971.

A. H. SINGER,  
Associate Administrator for  
Operations and Investment.

[FR Doc. 71-14658 Filed 10-5-71;8:50 am]

[Delegation of Authority No. 4.3-A-1  
for Disaster No. 783]

### MANAGER, DISASTER BRANCH OFFICE, CORPUS CHRISTI, TEX.

#### Delegation of Authority Regarding Hurricane Celia Disaster

I. Pursuant to the authority delegated to the Disaster Coordinator by Delegation of Authority No. 4.3-A (36 F.R. 18915), there is hereby redelegated to the Manager, Disaster Branch Office, Corpus Christi, Tex., for the Hurricane Celia disaster, the following authority:

A. Administrative Services (for purposes of Hurricane Celia only).

1. To contract for supplies, materials and equipment, printing, transportation, communications, space, and special services for the agency.

2. To enter into contracts for supplies and services pursuant to Delegation of Authority 410, dated March 26, 1962 (27 F.R. 3017), from the Administrator of the General Services Administration to the heads of executive agencies.

II. The authority delegated herein may be redelegated.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as Acting Manager, Hurricane Celia disaster.

Effective date: July 1, 1971.

JULIO G. PEREZ,  
Disaster Coordinator for  
Hurricane Celia Disaster.

[FR Doc.71-14659 Filed 10-5-71;8:50 am]

## TARIFF COMMISSION

[TEA-W-114]

### WORKERS' PETITION FOR DETERMINATION OF ELIGIBILITY TO APPLY FOR ADJUSTMENT ASSISTANCE

#### Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the workers of the Seymour Shoes, Inc., 151 Essex Street, Haverhill, MA 01830, the U.S. Tariff Commission, on September 30, 1971, instituted an investigation under section 301(c)(2) of the act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with the women's dress shoes produced by the company are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of workers of such company.

The petitioner has not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided such request is filed within 10 days after publication of the notice in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, 8th and E Streets NW., Washington, DC, and at the New York City Office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: October 1, 1971.

By order of the Commission.

[SEAL] KENNETH R. MASON,  
Secretary.

[FR Doc.71-14628 Filed 10-5-71;8:45 am]

[TEA-W-115]

### WORKERS' PETITION FOR DETERMINATION OF ELIGIBILITY TO APPLY FOR ADJUSTMENT ASSISTANCE

#### Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the former workers of the Childersburg Alabama plant of Beaunit Fibers, Division of Beaunit Corporation, Childersburg, Ala., the U.S. Tariff Commission, on September 30, 1971, instituted an investigation under section 301(c)(2) of the act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with the viscose rayon yarns wholly of continuous fibers produced at the plant are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such plant.

The petitioner has not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided such request is filed within 10 days after publication of the notice in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, 8th and E Streets NW., Washington, DC, and at the New York City Office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: October 1, 1971.

By order of the Commission.

[SEAL] KENNETH R. MASON,  
Secretary.

[FR Doc.71-14629 Filed 10-5-71;8:45 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 79]

### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

OCTOBER 1, 1971.

The following publications are governed by the new Special Rule 247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will

eliminate any restrictions which are not acceptable to the Commission.

#### MOTOR CARRIERS OF PROPERTY

No. MC 114087 (Sub-No. 12) (republication), filed February 5, 1971, published in the FEDERAL REGISTER issue of April 1, 1971, and republished this issue. Applicant: DECATUR PETROLEUM HAULERS, INC., 161 First Avenue NE., Decatur, AL. Applicant's representative: D. H. Markstein, Jr., 512 Massey Building, Birmingham, Ala. 35203. A Supplemental Order of the Commission, Operating Rights Board dated August 27, 1971, and served September 20, 1971, grants authority to applicant to operate in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (1) asphalt, in bulk, in tank vehicles, from Birmingham, Ala., to points in Georgia, Mississippi, (2) fuel oil, in bulk, in tank vehicles, from Decatur, Ala., to the plantsite of U.S. Plywood-Champion Papers, Inc., near Courtland, Ala., under contract with U.S. Plywood-Champion Papers, Inc. That since it is possible that other parties who have relied upon the notice in the FEDERAL REGISTER of the application as originally published may have an interest in and would be prejudiced by the lack of proper notice of the grant of authority without the requested limitation in our findings herein, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of the certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition for leave to intervene in the proceeding setting forth in detail the precise manner in which it has been prejudiced.

#### NOTICE OF FILING OF PETITIONS

No. MC-2900 (Notice of Filing of Petitions for Modification of Permit), both filed August 20, 1971. Petitioner: RYDER TRUCK LINES, INC., Jacksonville, Fla. Petitioner's representatives: Roland Rice and Richard R. Sigmon, 618 Perpetual Building, Washington, D.C. 20004. Petitioner holds a Permit in No. MC-2900 authorizing the transportation, (1) of general commodities, with the usual exceptions, over a regular service route between Nashville, Tenn., and Knoxville, Tenn., serving the intermediate points of Murfreesboro, Sparta, Kingston, Lebanon, those between Sparta and Kingston, and those between Nashville and Lebanon without restriction; Woodbury, Tenn., for delivery only, and McMinnville, Tenn., restricted to traffic moving to or from points east of McMinnville; and the off-route points of Madison, Mount Juliet, the U.S. Rifle Range (near Spencer, Tenn.), Cumberland, Homesteads, and Harriman, Tenn., without restriction; (2) of general commodities, except those rated lower than seventh class, over a regular service route between Cincinnati, Ohio and Nashville, Tenn., serving the intermediate point of Louisville, Ky., restricted to pickup and delivery of commodities other than articles of unusual value, classes A and B

explosives, whisky and liquids in bulk, moving to or from points south of Louisville; and (3) of general commodities, except those of unusual value, classes A and B explosives, whisky, and liquids in bulk, over a regular service route between Louisville, Ky., and Nashville, Tenn., serving the intermediate points of Temple Hill, Mount Herman, Mud Lick, and Thompkinsville, Ky.

Additionally, the lead certificate provides for alternate route authority for the transportation of general commodities, with the usual exceptions, (1) between Louisville, Ky., and Harriman, Tenn., for operating convenience only in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate point and serving Harriman for purpose of joinder only, (2) between Harriman, Tenn., and junction unnumbered highway (formerly U.S. Highway 27) and U.S. Highway 70, 5 miles south of Harriman, for operating convenience only in connection with carrier's regular-route operations authorized hereinabove, serving no intermediate points and serving Harriman and junction unnumbered highway (formerly U.S. Highway 27) and U.S. Highway 70 for purpose of joinder only, and (3) between Knoxville, Tenn., and Florence, Ky., for operating convenience only in connection with carrier's regular-route operations authorized above, serving no intermediate points and serving Knoxville, Tenn., for purpose of joinder only. The said alternate routes in (1) and (2) above are restricted to traffic moving between Louisville, Ky., and points north thereof, on the one hand, and, on the other, Chattanooga, Tenn., and points south thereof. The said alternate route in (3) above is restricted to traffic moving between Cincinnati, Ohio, and points north thereof, on the one hand, and, on the other, Chattanooga, Tenn., and points south thereof. By tacking its regular-route authority at Nashville, petitioner operates between Knoxville, on the one hand, and, Louisville and Cincinnati, on the other.

By the instant petition, petitioner seeks removal of the said restrictions on its alternate route authority so that it may transport the involved commodities (1) between the identified junction at U.S. Highway 70, and Louisville, Ky., and (2) between Knoxville and Florence, Ky., a point within the Cincinnati commercial zone; and thence to numerous points in Ohio, Michigan, Indiana, Illinois, and Milwaukee, Wis., without restriction as to the points between which the traffic must move. Petitioner states that the circuitry presently involved in the utilization of its service routes between Knoxville and numerous points in the midwestern portion of the United States, is the reason it desires removal of the restrictions. It further states that transportation over the alternate routes without restriction will permit a more direct movement of traffic and eliminate the necessity of tacking at Nashville. Petitioner feels that this will allow it to achieve operating economies and efficiencies through the reduction of over-

the-road transportation expenses and more productive vehicle operation. Any interested person or persons desiring to participate and to be heard in the matter may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of this publication in the FEDERAL REGISTER.

No. MC 39161 (Sub-No. 2) (Notice of Filing of Petition for Clarification of Authority Granted), filed September 17, 1971. Petitioner: CAP MOTOR LINES, INC., 70-01 67th Place, Glendale, NY 11227. By petition filed September 17, 1971, petitioner states that it presently holds authority in MC 39161 (Sub-No. 2), to transport *electrical goods, equipment, and supplies*, between New York, N.Y., and Hoboken, N.J., on the one hand, and, on the other, points in New York and New Jersey within 50 miles of New York, N.Y. Petitioner further states that it is engaged in transporting an electrically powered small automobile for Aurora Plastics Corp., 44 Cherry Valley Road, West Hempstead, NY. Petitioner further states that in an informal opinion it has been advised that it may not transport the stated item under its authority. By the instant petition, petitioner requests that its authority be clarified inasmuch as it believes the described item falls within its presently authorized commodity description, and that an order be issued stating "electrically powered" automobiles, regardless of size are commodities it is authorized to transport. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 94201 (Sub-No. 63) (Notice of Filing of Petition for Clarification and Modification of Authority), filed August 26, 1971. Petitioner: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Gadsden, AL 35903. Petitioner's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Petitioner states it is a motor common carrier operating under and pursuant to certificates issued by the Commission under MC 94201 and subs thereunder, and petitions the Commission for clarification and modification of its Sub 63. Petitioner states that the authority here involved was issued and contained in the grandfather certificate issued to Alabama Highway Express, Inc., in certificate MC 71516, which said certificate, as issued, insofar as here pertinent, authorized the transportation of: General commodities, except classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment. Between points in Alabama within 65 miles of Birmingham, Ala., including Birmingham, on the one hand, and, on the other, points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to

Springfield, Ill., thence along Illinois Highway 116 to Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State line, and thence along the Illinois-Indiana State line to point of beginning.

Petitioner states that at the time of issuance of the aforesaid authority, and for years thereafter, U.S. Highway 34 traversed Aurora and Montgomery, Ill., and specifically that said U.S. Highway 34 went through Aurora and Montgomery, Ill., in 1937 which petitioner states is confirmed by the State of Illinois, Division of Highways in letter and maps attached to petition and marked as appendices A and B. Petitioner avers that since the highway route was changed as set out in letter and map attached, that its Sub No. 63 authority, insofar as here pertinent, should be clarified and modified to read as follows: "Between points in Alabama within 65 miles of Birmingham, Ala., including Birmingham, on the one hand, and, on the other, points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Ill., thence along Illinois Highway 116 to Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction of Illinois Highway 31, thence along Illinois Highway 31 junction U.S. Highway BR 30, thence along U.S. Highway BR 30 to junction Illinois Highway 65, thence along Illinois Highway 65 to junction of junction of U.S. Highway 34, thence along U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan on the Illinois-Indiana State line and thence along the Illinois-Indiana State line to point of beginning." Petitioner avers that said modification and clarification seeks no new or additional authority but simply a redescription of its highway route since said highway was changed and rerouted after issuance of said certificate. Any interested person desiring to participate may file an original and six copies of his written representation, views or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 103435 (Sub-No. 73) (Notice of Filing of Petition for Modification of Certificate, filed August 30, 1971. Petitioner: UNITED-BUCKINGHAM FREIGHT LINES, INC., 5773 South Prince Street, Littleton, CO 80120. Petitioner's representative: Robert P. Tyler, Post Office Box 192, Littleton, CO 80120. Petitioner states that it holds authority in the above certificate No. MC 103435 Sub 73, issued December 17, 1956, as follows: "Regular route: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Sheridan, Wyo., and Birney, Mont., serving all intermediate points, and all off-route points within 12

miles of the described route: From Sheridan over U.S. Highway 87 to Acme, Wyo., thence over unnumbered highway to the Wyoming-Montana State line, and thence over unnumbered highways via Decker, Mont.; to Birney and return over the same route. Irregular routes: *General commodities*, except classes A and B explosives, between Miles City, Mont., on the one hand, and, on the other, points in Montana within 150 miles thereof (except Jordan and Broadus, Mont., and all points intermediate thereto located on Montana Highway 22 and U.S. Highway 212, between Jordan and Broadus, Mont., other than Miles City, Mont.). *General commodities*, in collection and delivery service, between points in Wibaux, Mont. *General commodities, including livestock*, between points in Montana and North Dakota located within 50 miles of Wibaux, Mont." This petition is directed to those portions of Sub 73 authorizing irregular route authority to transport general commodities, with certain exceptions, between points in Montana and North Dakota. Petitioner states it transports a substantial amount of traffic to points encompassed within this area and feels it would be more practical and feasible to continue service in this area over regular routes rather than irregular routes.

To provide a regular route service, petitioner suggests the rephrasing of its certificate as follows: "Regular route: *General commodities*, except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Sheridan, Wyo., and Birney, Mont., serving all intermediate points, and all off-route points within 12 miles of the described route: From Sheridan over U.S. Highway 87 to Acme, Wyo., thence over unnumbered highway to the Wyoming-Montana State line, and thence over unnumbered highways via Decker, Mont.; to Birney and return over the same route. *General commodities*, between Dickinson, N. Dak. and Sidney, Mont., serving the intermediate points of Wibaux and Glendive, Mont.; From Dickinson, N. Dak. over Interstate Highway 94 to Glendive, Mont., thence over U.S. Highway 16 to Sidney, Mont., and return over the same route. Between Glendive, Mont., and Miles City, Mont., serving no intermediate points: From Glendive, Mont., over U.S. Highway 10 to Miles City, Mont., and return over the same route. Irregular routes: *General commodities*, except classes A and B explosives, between Miles City, Mont., on the one hand, and, on the other, points in Montana within 150 miles thereof (except Jordan and Broadus, Mont., and all points intermediate thereto located on Montana Highway 22 and U.S. Highway 212 between Jordan and Broadus, Mont., other than Miles City, Mont., and except points located in Dawson, Prairie, Richland, and Wibaux Counties)." Petitioner believes that it would be in the public interest that the modification of its certificate be made as suggested. Any interested person desiring to participate may

file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC-124964 (Notice of Filing of Petition for Modification of Permit), filed September 15, 1971. Petitioner: JOSEPH M. BOOTH, doing business as J. M. BOOTH TRUCKING, Eustis, Fla. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Petitioner holds authority in Permit No. MC-124964 to transport, over irregular routes, "such commodities as are dealt in or used by chain grocery or department stores, from Carlstadt and Paramus, N.J., and New York, N.Y., to points in Broward, Dade, Hillsborough, Orange, and Pinellas Counties, Fla.", and "damaged, defective, or returned shipments of the commodities described above" from the same Florida points to the same New York-New Jersey points, under contract with Grand Union Co., of East Paterson, N.J. In his Sub-No. 9 permit, petitioner also holds authority to transport "such commodities as are dealt in or used by chain grocery or department stores", from specified New Jersey-New York points (including all of the New Jersey points authorized in the lead permit, but not including New York, N.Y.), to specified points in Florida (including all of the Florida points authorized in lead permit), and simply "returned shipments of the commodities described \* \* \* above" from the specified Florida points to the specified New Jersey-New York points, under contracts with Grand Union Co., of East Paterson, N.J., and another named shipper. By the instant petition, petitioner seeks to delete the words "defective, damaged and returned" from the above-described portion of his lead permit. Any interested person or persons desiring to participate and to be heard in the matter may file an original and six copies of his protest, written representations, views or argument in support of or against the petition, within 30 days from the date of this publication in the FEDERAL REGISTER.

No. MC 126458 (Notice of Filing of Petition To Amend and Modify Permit), filed September 13, 1971. Petitioner: ASCENZO & SONS, INC., 535 Brush Avenue, Bronx, NY 10465. Petitioner's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. By petition filed as indicated above, petitioner states it presently holds authority in Permit No. 126458 issued March 22, 1968, authorizing the transportation, over irregular routes, of: *Iron and steel and iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in the New York, N.Y., commercial zone, as defined by the Commission, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized. Restriction: The service



authorized herein is subject to the following conditions: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with Concord Steel Corp., of New York, N.Y., and North Atlantic Steel & Construction Materials Corp., of Great Neck, Long Island, N.Y. The authority granted herein shall be subject to the right of the Commission which is hereby expressly reserved, to impose such terms, conditions or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of Section 210 of the Act. By the instant petition, petitioner seeks to add Barron Steel Co., Bronx, N.Y., as an additional contracting shipper to be served in its said Permit No. 126458. No change in the commodity description or the territory authorized is sought. The only change sought is to add the name of the new shipper. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 128217 (Notice of Filing of Petition To Add Additional Contracting Shipper), filed September 9, 1971. Petitioner: REINHART MAYER, doing business as MAYER TRUCK LINE, 1203 South Riverside Drive, Jamestown, ND 58401. Petitioner's representative: Thomas J. Van Osdel, 502 First National Bank Building, Fargo, N. Dak. 58102. By petition filed as described above, and as herein pertinent, petitioner states it holds authority as a contract carrier by motor vehicle pursuant its permit No. 128217, issued January 20, 1971. A portion of said permit authorizes the transportation over irregular routes, of: *Iron and steel articles* as described in Group III of appendix V to the Report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, from Granite City and Sterling, Ill., and Duluth and Minneapolis, Minn., to points in Montana, North Dakota, and South Dakota, with no transportation for compensation on return except as otherwise authorized. The said operations as set forth above are limited to a transportation service to be performed under a continuing contract or contracts with LeFevre Sales, Inc. and Haybuster Manufacturing, Inc., both of Jamestown, N. Dak. By the instant petition, petitioner seeks to add Joseph T. Ryerson & Sons, Inc., Chicago, Ill., as an additional contracting shipper for the transportation of the above described commodities, from: Minneapolis, Minn., to: points in North Dakota and South Dakota. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 134129 (Sub-No. 4) (Notice of Filing of Petition for Modification), filed September 7, 1971. Petitioner: WILLIAM

A. LONG, Bealeton, Va. 22712. Petitioner's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, DC 20004. Petitioner holds motor contract carrier authority in Permit No. MC 134129 Sub 4, issued August 20, 1971, authorizing the transportation, over irregular routes, of: *Culvert pipe, culvert sectional plate, and couplings and coatings for culvert pipe and sections*, (1) From Bealeton, Va., to points in North Carolina and West Virginia, with no transportation for compensation on return except as otherwise authorized, (2) from Cessna, Pa., to points in North Carolina, with no transportation for compensation on return except as otherwise authorized, (3) from Ashland, Ky., to Bealeton, Va., and points in West Virginia, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts with Lane Juniata, Inc., of Bedford, Pa., and its affiliate Lane-Penncarva, Inc., of Bealeton, Va. By the instant petition, petitioner requests that said permit be modified by adding Dublin, Va., as an additional origin point in (1) above, and as an additional destination point in (2) and (3) above. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 33641 (Sub-No. 97), filed June 3, 1971. Applicant: IML FREIGHT, INC., 2175 South 3270 W., Post Office Box 2277, Salt Lake City, UT 84110. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, freight, and manufactured products* (except commodities in bulk), between points in Massachusetts except those east of Massachusetts Highway 28 and those west of U.S. Highway 7. Note: Applicant states that joinder would be at Worcester, Springfield, or Pittsfield, Mass., to serve all points presently authorized to be served by applicant under its regular route authority. No duplicate authority is sought. This is a matter directly related to MC-F-11194, published in the FEDERAL REGISTER issue of June 9, 1971. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 89805 (Sub-No. 3), filed September 17, 1971. Applicant: JAMES RIVER BUS LINES, a corporation, 310 North Main Street, Blackstone, VA 23824. Applicant's representative: John C. Goddin, 200 West Grace Street, Richmond, VA 23220. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers*

and their baggage, and express and newspapers in the same vehicle with passengers: (a) Between Brays Fork, Va., and Weems, Va., from Brays Fork to Warsaw, over U.S. Highway 360, thence over Virginia Highway 3 to Irvington, and thence to Weems, over Virginia Highway 222, and return over the same route serving all intermediate points; (b) between Richmond, Va., and junction of Interstate Highway 95 and Virginia Highway 10, from Richmond to junction of Interstate Highway 95 and Virginia Highway 10, over Interstate Highway 95, and return over the same route serving all intermediate points; (c) between Boydton and Clarksville, Va., from Boydton to Clarksville, over U.S. Highway 58, and return over the same route serving all intermediate points; (d) between Petersburg and Cochran, Va., from Petersburg to Cochran (junction of U.S. Highway 1 and Virginia Highway 46), over U.S. Highway 1, and return over the same route serving all intermediate points. Note: Common control may be involved. The instant application is a matter directly related to MC-F-11319 published in the FEDERAL REGISTER issue of September 29, 1971. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 112713 (Sub-No. 134), filed September 19, 1971. Applicant: YELLOW FREIGHT SYSTEM, INC., 92d Street at State Line Road, Kansas City, MO 64114. Applicant's representative: Richard K. Andrews, 1500 Commerce Bank Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, farm products, milk, and machinery*, (a) between points in Illinois within the following described territory: Beginning at the Wisconsin-Illinois State line southerly along Illinois Highway 78 to junction Illinois Highway 88, thence southeasterly along Illinois Highway 88 to junction Illinois Highway 92, thence east along Illinois Highway 92 to junction U.S. Highway 34, thence easterly along U.S. Highway 34 to junction with the eastern boundary of Kane County, thence north along the eastern boundary of Kane County to junction with the southern boundary of McHenry County, thence west along the southern boundary of McHenry County to junction Illinois Highway 47, thence north along Illinois Highway 47 to junction Illinois Highway 120, thence easterly along Illinois Highway 120 to junction U.S. Highway 12, thence northerly along U.S. Highway 12 to junction Illinois Highway 59, thence northeasterly along Illinois Highway 59 to junction Illinois Highway 83, thence northerly along Illinois Highway 83 to the Illinois-Wisconsin State line to the point of beginning, including all points and places situated on the highways named above; and (b) between points in the above-described territory, on the one hand, and, on the other, points in Illinois, restricted to shipments which originate at, or are destined to points in the above-described territory. Note: Common control may be involved. The instant

application is a matter directly related to MC-F-11326 published in the *FEDERAL REGISTER* issue of September 22, 1971. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-10882. ASSOCIATED TRUCK LINES, INC.—PURCHASE—CANAL MOTOR SERVICE, INC., published in the July 15, 1970. This proceeding also embraced a directly related application in No. MC-69833 Sub-No. 98. Associated Truck Lines, Inc.—Extension—Chicago area, for a certificate of public convenience and necessity in lieu of certificate of registration to be purchased. By report and recommended order served September 16, 1971, the Hearing Examiner recommended that the applications be approved subject to the condition that the authority granted in No. MC-69833 Sub-No. 98 be published in the *FEDERAL REGISTER*, authority granted in No. MC-69833 Sub-98, is for the transportation of: *General commodities*, except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission, as a common carrier, over irregular routes, between points in Cook, DuPage, Will, Kendall, Kane, and Lake Counties, Ill., and the specific points of Crystal Lake, McHenry, Huntley, and Algonquin in McHenry County, Ill.

Due date for filing exceptions to the Recommended Report and Order is October 18, 1971.

No. MC-F-11307 (DONALD J. SCHNEIDER—CONTINUANCE IN CONTROL—TRANS-NATIONAL TRUCK, INC.), published in the September 15, 1971, issue of the *FEDERAL REGISTER* on page 18494. Application filed September 27, 1971, for temporary authority under section 210a(b).

No. MC-F-11324. Authority sought for control and merger by RED STAR EXPRESS LINES OF AUBURN, INC., 24-50 Wright Avenue, Auburn, NY 13021, of the operating rights and property of P. S. DUBREY TRUCKING CO., INC., 539 Hartford Pike, Shrewsbury, MS 01545, and for acquisition by JOHN BISHOP, Sr., 264 E. Genesee Street, Auburn, NY, of control of such rights and property through the transaction. Applicants' attorney: Leonard A. Jaskiewicz, 1730 M Street NW., Washington, DC 20036. Operating rights sought to be controlled and merged: *General commodities*, excepting among others, except high explosives, household goods, and commodities in bulk, as a common carrier over regular routes, between Worcester, Mass., and Boston, Mass., between Wor-

cester, Mass., and Gloversville, N.Y., and all intermediate points, between Albany, N.Y., and Walloomsac, N.Y., all intermediate points and certain off-route points, between Providence, R.I. and Boston, Mass., all intermediate points, and certain off-route points in Massachusetts, those within 10 miles of Providence, and those within 10 miles of Boston, between New York, N.Y., and Utica, N.Y., between Worcester, Mass., and Newburyport, Mass., and all intermediate, between Springfield, Mass., and Windsor, Vt., serving all intermediate points, and the off-route points of Easthampton and Northfield, Mass., those in Massachusetts within 15 miles of Springfield, and those in Vermont within 15 miles of Brattleboro, Vt.

Between Springfield, Mass., and South Deerfield, Mass., serving all intermediate points, and the off-route points of Easthampton and Northfield, Mass., those in Massachusetts within 15 miles of Springfield, and those in Vermont within 15 miles of Brattleboro, Vt., between South Hadley, Mass., and Sunderland, Mass., serving all intermediate points, and the off-route points of Easthampton and Northfield, Mass., those in Massachusetts within 15 miles of Springfield, and those in Vermont within 15 miles of Brattleboro, Vt., between junction U.S. Highway 5 and Vermont Highway 11 and Ascutney, Vt., serving all intermediate points, and the off-route points of Easthampton and Northfield, Mass., those in Massachusetts within 15 miles of Springfield, and those in Vermont within 15 miles of Brattleboro, Vt., between Athol, Mass., and Shelburne Falls, Mass., serving all intermediate points and the off-route points of Turners Falls and Millers Falls, Mass., between Brattleboro, Vt., and Concord, N.H., serving all intermediate points, and the off-route points in New Hampshire within 15 miles of Keene, N.H., and those within 15 miles of Concord, between Jaffrey, N.H., and Newport, N.H., between Palmer, Mass., and Amherst, Mass., serving all intermediate points, between junction U.S. Highway 5 and Vermont Highway 103 and Rutland, Vt., serving all intermediate points and off-route points within 15 miles of Belows Falls, Vt., and those within 15 miles of Rutland, between Albany, N.Y., and Rutland, between Albany, N.Y., and Rutland, Vt., serving all intermediate points, and certain off-route points in Vermont.

Between Albany, N.Y., and points in New York, and Vermont, serving intermediate points in New York north of Lake George and Kingsbury, N.Y., including Lake George and Kingsbury, and intermediate points in Vermont north of Burlington, Vt., including Burlington, and certain off-route points in New York, between Boston, Mass., and Waterville, Maine, serving all intermediate points, and serving certain off-route points in Maine, and those within 15 miles of Boston; *general commodities*, except explosives, articles of unusual value, household goods as defined by the Commission, and bulk commodities, between Sanford, Maine, and Providence, R.I., serving the intermediate points of Newburyport and

Boston, Mass., with restriction; between Smithtown, N.H., and South Barre, Mass., serving certain intermediate points, between Boston, Mass., and Waterville, Maine, serving all intermediate points, and serving certain off-route points in Maine, and those within 15 miles of Boston; *general commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, over irregular routes, between Albany, and Plattsburg N.Y., on the one hand, and, on the other, certain specified points, between points in the above New York counties, on the one hand, and, on the other, Burlington, Vt.; *general commodities*, except explosives, articles of unusual value, household goods as defined by the Commission, and bulk commodities, between points within 20 miles of Boston, Mass., Providence, R.I., and Sanford, Maine, except points in New Hampshire and Lebanon, Berwick, and South Berwick, Maine, and points in Maine on and east of U.S. Highway 1, with restriction; *new textile machinery*, between Worcester, Mass., on the one hand, and, on the other, Carolina and Providence, R.I.; *waste and rags*, between Worcester, Mass., on the one hand, and, on the other, certain specified points in New Hampshire, New York, Philadelphia, Pa., certain specified points in Rhode Island and Connecticut; *sash and elevator weights*, from Worcester, Mass., to certain specified points in Rhode Island and Nashua, N.H.; *wool*, from Boston, Mass., and West Warwick, R.I., to Worcester, Mass.; and *petroleum products*, in containers, from Albany, N.Y., to Burlington, and White River Junction, Vt., over one alternative route for operating convenience only. RED STAR EXPRESS LINES OF AUBURN, INC., is authorized to operate as a *common carrier* in New York, New Jersey, Pennsylvania, Massachusetts, Vermont, Connecticut, and Rhode Island. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11325. Authority sought for control by ARMSTRONG MOVING AND STORAGE INC., Post Office Box 1464, 500 East 50th Street, Lubbock, TX 79408, of CAPITOL VANS AND WAREHOUSES, INC., 500 East 50th Street, Lubbock, TX 79408, and for acquisition by AMSTRONG CONSOLIDATED CORPORATION, 500 East 50th Street, Lubbock, TX, of control of CAPITOL VANS AND WAREHOUSES, INC., through the acquisition by ARMSTRONG MOVING AND STORAGE INC. Applicants' attorney: W. D. Benson, Post Office Box 6723, Lubbock, TX 79413. Operating rights sought to be controlled: *General commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier* over irregular routes, between points within 3 miles of Beaumont, Tex., including Beaumont; and *household goods*, as defined by the Commission, between Beaumont, Tex., and points within 50 miles of Beaumont, on the one hand, and, on the other, points in Louisiana. ARMSTRONG MOVING AND STORAGE

INC., is authorized to operate as a *common carrier* in Texas, New Mexico, and Oklahoma. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11326. Authority sought for purchase by ARMSTRONG MOVING & STORAGE INC., 500 East 50th Street, Post Office Box 1464, Lubbock, TX 79408, of the operating rights of ARMSTRONG WAREHOUSE & TRANSFER INC., 500 East 50th Street, Post Office Box 1464, Lubbock, TX 79408, and for acquisition by ARMSTRONG CONSOLIDATED CORPORATION, also of Lubbock, Tex., of control of such rights through the purchase. Applicants' attorney: W. D. Benson, Post Office Box 6723, Lubbock, TX 79413. Operating rights sought to be transferred: *Household goods* as defined by the Commission, as a *common carrier* over irregular routes, between Lubbock, Tex., and points in Texas within 100 miles of Lubbock, on the one hand, and, on the other, points in New Mexico, between Lubbock, Tex., and points in Texas within 100 miles of Lubbock, on the one hand, and, on the other, points in Oklahoma; and *used household goods*, between points in Deaf Smith, Randall, Armstrong, Donley, Farmer, Castro, Swisher, Briscoe, Hall, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Gaines, Dawson, Borden, Scurry, Fisher, Andrews, Martin, Howard, and Mitchell Counties, Tex., with restriction. Vendee is authorized to operate as a *common carrier* in Texas. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11327. Authority sought for control by NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, NJ 08360, of CROSS TRANSPORTATION, INC., Carl's Corners, Bridgeton, N.J. 08302, and for acquisition by BERNARD A. BROWN, also of Vineland, N.J., of control of CROSS TRANSPORTATION, INC., through the acquisition by NATIONAL FREIGHT, INC. Applicants' attorney: David G. Macdonald, Suite 502, 1000 16th Street NW., Washington, DC 20036. Operating rights sought to be controlled: *General commodities*, except those of unusual value, and except liquors, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a *common carrier* over regular routes, between Philadelphia, Pa., and Bridgeton, N.J.; *general commodities*, except those of unusual value, and except dangerous explosives, bakery products and containers, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between New Brunswick, N.J., and Philadelphia, Pa.; *general commodities*, except

those of unusual value, livestock, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Boston, Mass., and Newark, N.J., serving all intermediate points in Massachusetts, and the off-route points of Salem, and Fall River, Mass., Staffordville, Conn., and Trenton, and Farmingdale, N.J., between Boston, Mass., and Newark, N.J., serving no intermediate points, between Lawrence, Mass., and Boston, Mass., serving all intermediate points, and the off-route points of Lowell, Haverhill, and Methuen, Mass.

*General commodities*, except livestock, classes A and B explosives, inflammables, commodities in bulk other than fertilizer, articles of unusual size or value, and household goods as defined by the Commission, between Richmond, Va., and New York, N.Y., with service to and from the intermediate and off-route points of Washington, D.C., Baltimore, Md., Philadelphia, Pa., Trenton, Newark, Carteret, and North Bergen, N.J., restricted to traffic moving to or from Richmond; *excelsior*, from Montross, Va., to New York, N.Y., serving the intermediate points of Washington, D.C., Baltimore, Md., and Philadelphia, Pa., from Montross, Va., to New York, serving the intermediate points Baltimore, Md., and Philadelphia, Pa., and the off-route point of Washington, D.C.; *general commodities*, with exceptions specified, over irregular routes, between Elizabeth, N.J., and points within 30 miles of Elizabeth, on the one hand, and, on the other, Philadelphia, Pa., New York, N.Y., points in New Jersey, and those in Nassau and Westchester Counties, N.Y.; *general commodities*, excepting among others classes A and B explosives, household goods, and commodities in bulk, between Boston, Mass., and certain specified points in New York and New Jersey; *general commodities*, except those of unusual value, liquors, classes A and B explosives, bakery products and containers, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Bridgeton, N.J., on the one hand, and, on the other, points in New Jersey (except those within 30 miles of Elizabeth, N.J.), with restriction;

*General commodities*, except those of unusual value, and except classes A and B explosives, furs, alcoholic beverages, household goods as defined by the Commission, livestock, silk, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between New York, N.Y., and certain specified points in New Jersey, on the one hand, and, on the other, Baltimore, Md., and Washington, D.C.; *glass containers*, from New York, N.Y., and Hoboken, N.J., to certain specified points in New York, and New London Counties, Conn., from Bridgeton, N.J., to certain specified points in Delaware, Boston, and Roxbury, Mass., and Relay, Md., from Bridgeton, N.J., to Bridgeport, Conn.,

Philadelphia, Pa., Wilmington, Del., Yonkers, and New York, N.Y., Baltimore, Md., and the District of Columbia; *boxes (with or without partitions)*, *paper, fiberboard or pulpboard in sheets or rolls and paper, fiberboard or pulpboard liners or fillers*, from Bridgeton, N.J., to certain specified points in New York, Seaford, Del., Boston, and Roxbury, Mass., and Relay, Md., from Bridgeton, N.J., to certain specified points in New York; *boxes*, from Baltimore, Md., to Salem, N.J., from Bridgeton, N.J., to Philadelphia, Pa., between Bridgeton, N.J., and Baltimore, Md.; *caps and closures for glass containers*, from Glassboro, N.J., to certain specified points in New York, Seaford, Del., and Boston, Roxbury, Mass., and Relay, Md.; *materials and supplies necessary for the manufacture and packing of glass containers*, from Philadelphia, Pa., to Bridgeton, N.J.; *canned goods*, from Bridgeton, N.J., to Philadelphia, Pa., Baltimore, Md., Hartford, Conn., Somerville, Mass., and points in the New York, N.Y., commercial zone, as defined by the Commission in 1 M.C.C. 665; *malt beverages*, from New York, N.Y., to certain specified points in Connecticut; *drugs*, from New York, N.Y., to Bridgeport and Stamford, Conn.; *tin plate*, from Baltimore, Md., to Paulsboro, N.J.; *fertilizer, fertilizer materials, seeds, and insecticides*, from New York, N.Y., and Hoboken, N.J., to Bridgeport and Stamford, Conn., Spring Valley, N.Y., and points on Long Island, N.Y., except those in Nassau County;

*Glass bottles, glass jars and packing glasses, bottle carrying boxes with or without partitions, corrugated fiber- and pulpboard paper in sheets or rolls, and fiberboard and pulpboard paper liners and fillers*, from Bridgeton, N.J., to certain specified points in Delaware, Maryland, Massachusetts, New York, Pennsylvania, and Virginia; *caps and closures for glass containers*, from Glassboro, N.J. to the destination points specified; *cans*, not exceeding 1 gallon capacity, and boxes not exceeding 1 quart capacity, from Baltimore, Md., to Hammononton and Minotola, N.J.; *glass containers and boxes (with or without partitions)*, *paper, fiberboard or pulpboard in sheets or rolls and paper, fiberboard or pulpboard liners and fillers*, from Bridgeton, N.J., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia, and the District of Columbia; *caps, closures, and accessories* for same, from Glassboro, N.J., to points in the above-described destination territory; *wooden pallets*, from points in Massachusetts, Rhode Island, and that part of New York which is located west of U.S. Highway 15 from the New York-Pennsylvania State line to Springwater, N.Y., and New York Highway 15-A from Springwater to Rochester, but not including Rochester, to Bridgeton, N.J.; *glass containers*, and, when moving as part loads in connection therewith, *corrugated boxes, knocked down, caps and closures*, from Jersey City, N.J., to certain specified points in New York and Connecticut; *wooden pallets*, from points

in Connecticut and New York, except New York, N.Y., and those in Nassau and Westchester Counties, N.Y., to Jersey City, N.J.;

*Plastic containers, plastic caps, plastic closures, and accessories* for the aforementioned commodities, from Glassboro, N.J., to points in Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia; *wooden pallets*, from the above-specified destination points to Glassboro, N.J.; *malt beverages, brewers' supplies, and empty containers*, excepting malt beverages and brewers' supplies, in bulk, in tank vehicles, between points in the described New York-New Jersey territory, on the one hand, and, on the other, points in Massachusetts, between Lawrence, and Boston, Mass., on the one hand, and, on the other, points in Connecticut, Rhode Island, and Massachusetts; *glass and plastic containers, carboys, demijohns, jars, bottles, packing glasses, caps, covers, stoppers, closures, or tops, boxes, paper, fiberboard or pulpboard in sheets or rolls, fiberboard or pulpboard liners and fillers, and empty containers*, from Bridgeton and Glassboro, N.J., to points in Maine, New Hampshire, and Vermont; *glass containers and paper, fiberboard, or pulpboard boxes, liners, fillers, sheets and rolls*, from the plantsites, warehouses, or other facilities of Owens-Illinois, Inc., at North Bergen, N.J., to points in that part of Pennsylvania on and east of U.S. Highway 15 (except points in the Philadelphia, Pa., commercial zone as defined by the Commission, and York, Pa.), over one alternate route for operating convenience only. NATIONAL FREIGHT, INC., is authorized to operate as a *common carrier* in New Jersey, Pennsylvania, Connecticut, New York, Massachusetts, Rhode Island, Delaware, Maryland, Florida, New Hampshire, Ohio, Vermont, Virginia, West Virginia, Wisconsin, Illinois, Indiana, Maine, Michigan, Minnesota, Missouri, North Carolina, South Carolina, Georgia, Arkansas, Iowa, Kansas, Kentucky, Nebraska, Louisiana, Alabama, Mississippi, Oklahoma, Texas, Tennessee, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11328. Authority sought for purchase by RICHARD DAHN, INC., R.D. 1, Sparta, NJ 07871, of the operating rights of CHARLES PACEK, Star Route, Doylestown, Pa. 18901, and for acquisition by RICHARD DAHN AND E. RUTH DAHN, both of Sparta, N.J. 07871, of control of such rights through the purchase. Applicants' attorney: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Operating rights sought to be transferred: *Building stone* (except crushed stone), in dump vehicles, as a *contract carrier*, over irregular routes, from Lumberville, Pa., to points in New York, Connecticut, Massachusetts, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, and Michigan, and to certain specified counties in New Jersey, and points in that part of Sussex County, N.J., lying on and east of New Jersey Highway 15 and U.S. Highway 206, with

restriction. Vendee is authorized to operate as a *common carrier* in Delaware, New Jersey, Maryland, Pennsylvania, New York, Kentucky, Virginia, West Virginia, Massachusetts, Rhode Island, Connecticut, Ohio, Maine, Vermont, New Hampshire, and the District of Columbia. Application has been filed for temporary authority under section 210a(b). NOTE: MC-124004 Sub-17, is a matter directly related.

No. MC-F-11329. Authority sought for purchase by ASSOCIATED FREIGHT LINES, 841 Folger Avenue, Berkeley, CA 94710, of the operating rights of JOE SAIA, 2630 Fifth Street, Sacramento, CA 95818, and for acquisition by JOHN A. PIFER, also of Berkeley, Calif. 94710, of control of such rights through the purchase. Applicants' attorney: Marvin Handler, 405 Montgomery Street, San Francisco, CA 94104. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-92273 Sub-3, covering the transportation of property and general commodities, as a *common carrier* in interstate commerce, within the State of California. Vendee is authorized to operate as a *common carrier* in California. Application has been filed for temporary authority under section 210a(b). NOTE: MC-57254 Sub-13, is a matter directly related.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.71-14648 Filed 10-5-71; 8:49 am]

#### NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

OCTOBER 1, 1971.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. 2339, filed September 20, 1971. Applicant: ALAMO EXPRESS, INC., 51 Essex Street, San Antonio, TX. Applicant's representative: Dan Felts, The 904 Lavaca Building, Austin, Tex. 78701. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, over the following alternate route: Between Beeville and Refugio, over State Highway

202 and U.S. Highway 183, and coordinating the proposed service with the service presently being rendered by the applicant under its other authority. Over the following alternate route: Between the junction of State Highways 9 and 72 and Kenedy, over State Highway 72, and coordinating the proposed service with the service presently being rendered by the applicant under its other authority. Both intrastate and interstate authority sought.

HEARING: Approximately 30 days after publication in the FEDERAL REGISTER. Time and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Railroad Commission of Texas, Capitol Station, Post Office Drawer 12967, Austin, TX 78711, and should not be directed to the Interstate Commerce Commission.

State Docket No. 2709, filed September 20, 1971. Applicant: BLUEBONNETT EXPRESS, INC., 5009 Rusk Avenue, Post Office Box 18205, Houston, TX 77023. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002. (1) Applicant seeks to amend its Certificate 2709 to authorize operation as a limited common carrier over regular routes in intrastate and interstate commerce in the transportation of *newspapers and magazines* over State Highway 36 between Rosenberg and West Columbia, serving all intermediate points along said routes and coordinating the service with service presently rendered under existing certificates; and (2) applicant seeks to further amend Certificate 2709 to authorize operation as a limited common carrier over regular routes in intrastate and interstate commerce in the transportation of *general commodities*, over the following routes: (1) State Highway 36 between Rosenberg and West Columbia; (2) Farm Road 442 between Lane City and State Highway 36, serving Newgulf as off-route point; (3) Farm Road 1301 and 1728 between Wharton and State Highway 35; (4) State Highway 60 between Wharton and Matagorda, serving South Bay City as an off-route point; (5) State Highway 71 between El Campo and State Highway 35 at Blessing; (6) Farm Road 616 between Bloomington and State Highway 35; (7) U.S. Highway 87 between Victoria and Port Lavaca; (8) Farm Road 234 between Vanderbilt and U.S. Highway 59; (9) State Highway 111 between Edna and Midfield;

(10) Farm Road 2431 between Midfield and State Highway 35; (11) Farm Road 521 between State Highway 35 and State Highway 36; (12) Farm Road 457 between State Highway 35 and Sargent; (13) Farm Road 524 between Old Ocean and Farm Road 521; (14) State Highway 332 between Brazoria and Surfside; (15) Farm Road 1301 between



[Notice 760]

# MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 1, 1971.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-72936. By order of September 24, 1971, the Motor Carrier Board approved the transfer to Ohio Kentucky Express, Inc., Cincinnati, Ohio, of the operating rights in Certificate No. MC-62282 issued August 1, 1969, to Eleanor Weir, doing business as Weir Express, Cincinnati, Ohio, authorizing the transportation of general commodities, with exceptions, between points in the Cincinnati, Ohio, commercial zone, as defined by the Commission, Paul J. Boehm, 709 First National Bank Building, Cincinnati, Ohio 45202, attorney for applicants.

No. MC-FC-73053. By order of September 24, 1971, the Motor Carrier Board approved the transfer to Vimala, Inc., 147 Southeast 11th, Post Office Box 442, Newport, OR 97365, of the operating rights in Certificate No. MC-128557 (Sub-No. 3), issued December 6, 1967, to Lincoln Lumber Sales, Inc., Post Office Box 127, Newport, OR 97365, authorizing the transportation of lumber and lumber products, from points in Linn, Lane, Benton, Polk, Tillamook, Yamhill, and Marion Counties, Ore., to points in Lincoln County, Ore., from points in Lincoln County, Ore., to Newport, Ore., and from Newport, Ore., to points in Lane, Linn, Benton, and Lincoln Counties, Ore., subject to restrictions.

No. MC-FC-73091. By order of September 27, 1971, Motor Carrier Board approved the transfer to Loretta E. Mahler, doing business as Lucky Seven Transfer and Storage, Prescott, Ariz., of the Certificates of Registration in No. MC-120830 (Sub-No. 1), issued March 25, 1970, to Carl A. Mahler, Sr., doing business as Lucky Seven Transfer and Storage, Prescott, Ariz., authorizing transportation corresponding in scope to common carrier Certificate No. 6302, dated January 17, 1961, transferred, renewed, and reissued November 22, 1968, and No. 3206, of the same date, transferred November 22, 1968, renewed and reissued October 22, 1969, by the Arizona Corporation Commission. Donald R. Bulechek, Post Office Box 1391, Prescott, AZ 86301, attorney for applicants.

No. MC-FC-73100. By order of September 27, 1971, the Motor Carrier Board approved the transfer to A & P Trans., Inc., Marlboro, Mass., of Certificate of Registration No. MC-120913 (Sub-No. 1), issued January 23, 1964, to Clarence H. Warner, Inc., Clinton, Mass., evidencing a right to engage in transportation in interstate commerce corresponding in scope to Irregular Route Common Carrier Certificate No. 5339, dated January 12, 1961, issued by the Massachusetts Department of Public Utilities.

No. MC-FC-73176. By order of September 27, 1971, the Motor Carrier Board approved the transfer to Guss Freight Delivery, Inc., Long Beach, Calif., of Certificate of Registration No. MC-96711 (Sub-No. 1), issued November 1, 1963, to Clyde E. Guss, doing business as Guss Freight Delivery, Long Beach, Calif., evidencing a right to engage in transportation in interstate commerce corresponding in scope to Certificate No. 54593, dated February 25, 1957, issued by the Public Utilities Commission of the State of California. James W. Edson, attorney, 444 Ocean Boulevard, Suite 503, Long Beach, CA 90802.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.71-14649 Filed 10-5-71;8:49 am]

## ASSIGNMENT OF HEARINGS

OCTOBER 1, 1971.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC-F-10813, Eastern Express, Inc.—Control—R. C. Motor Lines, Inc., and MC-F-11029, American Export Industries, Inc., and Eastern Express, Inc.—Investigation of Control—R. C. Motor Lines, Inc., now assigned October 5, 1971, at Washington, D.C., postponed indefinitely.

MC 107583 Sub 48, Salem Transportation Co., Inc., now assigned October 12, 1971, at Trenton, N.J., canceled and reassigned for hearing on November 8, 1971, in Room 16, New Jersey State Museum Cultural Center, 205 West State Street, Trenton, N.J.

MC-F-11094, Navajo Freight Lines, Inc.—Investigation of Control—Garrett Freight Lines, Inc., and MC-F-11193, Navajo Freight Lines, Inc.—Control—Garrett Freight Lines, Inc., now assigned October 18, 1971, at Denver, Colo., postponed to November 30, 1971, in Room 15032, Federal Building, 1961 Stout Street, Denver, CO.

MO 113651 Sub 136, Indiana Refrigerator Lines, Inc., assigned November 4, 1971, in Courtroom 823, U.S. Courthouse, 811 Grand Avenue, Kansas City, MO.

Pledger and West Columbia; (16) Farm Road 1459 between Sweeney and State Highway 35; (17) Farm Road 1593 between Point Comfort and State Highway 111; (18) State Highway 172 between Ganado and Olivia serving Port Alto as off-route point; (19) State Highway 316 between Port Lavaca and Indianola; (20) Farm Road between Chocolate Bayou and State Highway 35; (21) U.S. Highway 77A between Goliad and Cuero; (22) U.S. Highway 77 and State Highway 113 between Victoria and Tivoli, and (23) State Highway 35 between Tivoli and Port Lavaca, serving all intermediate points along said routes and coordinating the service with service being rendered under existing certificates. The transportation of general commodities over the routes hereinabove described shall be subject to the following restrictions: No service shall be rendered in the transportation of any package or article weighing more than 50 pounds. No service shall be provided in the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor at one location to one consignee at one location on any one day.

Further restrictions: (1) The Texas Commission retains jurisdiction over this certificate, under the provisions of Sec. 12(b), Art. 911(B), V.C.S., so that if the Texas Commission, in the future, determines that the holder hereof is not performing the service authorized by the Texas Commission, it may amend, revoke or suspend the authority herein granted, if conditions so justify. (2) The holder of this certificate is required to keep such records and accounts as may be required to enable the law enforcement division of the Texas Commission to ascertain if the holder hereof is complying with the restriction as to the type of commodities, and weight thereof, authorized herein. (3) The holder hereof shall file with the Texas Commission each January 1, April 1, July 1, and October 1, a current, accurate list of its local representatives and agents and their addresses and (4) on July 1 of each year, the holder of this certificate shall file a "performance report" with the Texas Commission with respect to the operations conducted under the certificate here issued, which report shall show the tonnage handled, the towns served and any other information which the Texas Commission may request. Both intrastate and interstate authority sought.

**HEARING:** Date, time, and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Railroad Commission of Texas, Drawer 12967, Capitol Station, Austin, TX 78711, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.71-14647 Filed 10-5-71;8:48 am]

MC 128988 Sub 10, Jo/Kel, Inc., assigned November 3, 1971, in Room 147B, New Federal Building, 601 East 12th Street, Kansas City, MO.

MC 111401 Sub 330, Groendyke Transport, Inc., MC 112822 Sub 190, Bray Lines, Inc., MC 114890 Sub 50, C. E. Reynolds Transports, Inc., MC 115669 Sub 122, Howard N. Dahlsten, doing business as Dahlsten Truck Line, MC 117568 Sub 8, Kempt Truck Lines, Inc., MC 117765 Sub 121, Hahn Truck Line, Inc., MC 118535 Sub 43, Jim Tiona, Jr., MC 119399 Sub 27, Contract Freighters, Inc., and MC 124711 Sub 11, Becker & Sons, Inc., assigned November 1, 1971, in Room 140, New Federal Building, 601 East 12th Street, Kansas City, MO.

MC 135447, Dilldo Transportation Co., Inc., now assigned October 20, 1971, at New York, N.Y., is canceled and application dismissed.

MC-F-10934, Northeastern Trucking Co.—Purchase (portion)—Parrish Dray Line, Inc., MC-F-10949, Guignard Freight Lines, Inc.—Purchase (portion)—Parrish Dray Line, Inc., and MC-F-11053, Mercury Freight Lines, Inc.—Purchase (portion)—Parrish Dray Line, Inc., continued to December 7, 1971, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 30844 Sub 358, Kroblin Refrigerated Express, assigned November 1, 1971, in Room B-2231, 26 Federal Plaza, New York, NY.

MC 105997 Sub 11, Oil-Ways Co., assigned November 2, 1971, in Room B-2231, 26 Federal Plaza, New York, NY.

MC 108884 Sub 18, Rogers Transfer, Inc., assigned November 3, 1971, in Room B-2231, 26 Federal Plaza, New York, NY.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.71-14650 Filed 10-5-71;8:49 am]

[Rev. S.O. 994; I.C.C. Order 26; Amdt. 10]

# ATCHISON, TOPEKA AND SANTA FE RAILWAY CO.

## Rerouting or Diversion of Traffic

Upon further consideration of I.C.C. Order No. 26 (Atchison, Topeka and Santa Fe Railway Co.) and good cause appearing therefor:

*It is ordered, That:*

I.C.C. Order No. 26, be, and it is hereby, amended by substituting the following

paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1971, unless otherwise modified, changed, or suspended.

*It is further ordered,* That this amendment shall become effective at 11:59 p.m., September 30, 1971, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., September 29, 1971.

[SEAL] INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[FR Doc.71-14651 Filed 10-5-71;8:49 am]

[Rev. S.O. 994; I.C.C. Order 16; Amdt. 9]

## PENN CENTRAL

### Rerouting or Diversion of Traffic

Upon further consideration of I.C.C. Order No. 16 (Penn Central) and good cause appearing therefor:

*It is ordered, That:*

I.C.C. Order No. 16 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1971, unless otherwise modified, changed, or suspended.

*It is further ordered,* That this amendment shall become effective at 11:59 p.m., September 30, 1971, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that

agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., September 28, 1971.

[SEAL] INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[FR Doc.71-14652 Filed 10-5-71;8:49 am]

[Rev. S.O. 994; I.C.C. Order 49; Amdt. 3]

## PENN CENTRAL TRANSPORTATION CO.

### Rerouting or Diversion of Traffic

Upon further consideration of I.C.C. Order No. 49 (Penn Central Transportation Co.) and good cause appearing therefor:

*It is ordered, That:*

I.C.C. Order No. 49 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1971, unless otherwise modified, changed or suspended.

*It is further ordered,* That this amendment shall become effective at 11:59 p.m., September 30, 1971, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., September 28, 1971.

[SEAL] INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[FR Doc.71-14653 Filed 10-5-71;8:49 am]

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during October.

<b>3 CFR</b>	Page	<b>18 CFR</b>	Page	<b>37 CFR</b>	Page
PROCLAMATION:		PROPOSED RULES:		PROPOSED RULES:	
4085-----	19299	101-----	19443	2-----	19315
EXECUTIVE ORDER:		104-----	19443		
11621-----	19435	105-----	19443	<b>38 CFR</b>	
		141-----	19443	21-----	19252
<b>5 CFR</b>		201-----	19443		
213-----	19245, 19437	204-----	19443	<b>39 CFR</b>	
		205-----	19443	211-----	19472
		260-----	19443	212-----	19473
<b>7 CFR</b>		<b>20 CFR</b>		213-----	19475
51-----	19243	405-----	19249	222-----	19476
53-----	19301			223-----	19480
54-----	19301	<b>21 CFR</b>		235-----	19483
55-----	19301	121-----	19363	821-----	19484
56-----	19301	420-----	19251		
70-----	19301	PROPOSED RULES:		<b>41 CFR</b>	
850-----	19244	191-----	19391	1-15-----	19365
910-----	19302, 19359	420-----	19268	9-12-----	19365
966-----	19437			14-2-----	19438
PROPOSED RULES:		<b>22 CFR</b>		14-18-----	19438
932-----	19265	41-----	19304	60-3-----	19307
947-----	19314			101-19-----	19366
982-----	19442	<b>24 CFR</b>		101-42-----	19367
984-----	19390	PROPOSED RULES:			
1007-----	19315	200-----	19316, 19320	<b>45 CFR</b>	
1464-----	19389			PROPOSED RULES:	
1701-----	19391	<b>25 CFR</b>		1201-----	19400
		41-----	19251		
<b>9 CFR</b>				<b>46 CFR</b>	
72-----	19245	<b>26 CFR</b>		45-----	19253
		1-----	19251	381-----	19253, 19367
<b>14 CFR</b>		147-----	19251		
39-----	19359, 19360	PROPOSED RULES:		<b>47 CFR</b>	
71-----	19302-19304, 19360, 19361	1-----	19256, 19371	0-----	19438
97-----	19248	301-----	19371	1-----	19438
121-----	19361			13-----	19440
PROPOSED RULES:		<b>29 CFR</b>		73-----	19310
39-----	19392	5-----	19304	89-----	19367
61-----	19393	5a-----	19305	91-----	19367
67-----	19393, 19396	55-----	19364	93-----	19367
71-----	19321, 19398, 19399	PROPOSED RULES:		95-----	19367
73-----	19321, 19322	1518-----	19266	PROPOSED RULES:	
121-----	19393	1910-----	19266	21-----	19323
127-----	19393			73-----	19442
183-----	19393	<b>32A CFR</b>		74-----	19442
223-----	19399	OEP (Ch. I):		<b>49 CFR</b>	
		ES Reg. 1:		25-----	19369
<b>15 CFR</b>		Circ. 18-----	19311	173-----	19370
374-----	19437	Circ. 19-----	19440	177-----	19370
376-----	19437			571-----	19254
379-----	19437	<b>33 CFR</b>		575-----	19310
PROPOSED RULES:		PROPOSED RULES:		1033-----	19370
7-----	19406	117-----	19391, 19392	PROPOSED RULES:	
				571-----	19266
<b>17 CFR</b>		<b>36 CFR</b>			
231-----	19362	PROPOSED RULES:		<b>50 CFR</b>	
241-----	19362	2-----	19388	32-----	19311, 19370
249-----	19363				
274-----	19363				

<i>Pages</i>	<i>Date</i>
19237-19291	Oct. 1
19293-19351	2
19353-19430	5
19431-19484	6





# **federal register**

WEDNESDAY, OCTOBER 6, 1971

WASHINGTON, D.C.

Volume 36 ■ Number 194



PART II

---

## **POSTAL SERVICE**



Restatement of Headquarters and  
Regional Organization

## Title 39—POSTAL SERVICE

### Chapter I—United States Postal Service

#### SUBCHAPTER D—ORGANIZATION AND ADMINISTRATION

#### SUBCHAPTER I—ORGANIZATION STATEMENTS

#### RESTATEMENT OF HEADQUARTERS AND REGIONAL ORGANIZATION

The regulations set out below reflect enactment of the Postal Reorganization Act (Public Law 91-375). The regulations redefine the organization of Headquarters and the Postal Regions. The Headquarters regulations were originally published in the daily issue of June 30, 1971, and are republished here with certain minor revisions. The Regional regulations are being promulgated for the first time.

Delegations of authority that remained in effect immediately prior to the effective date of these regulations continue to remain in full force and effect, except to the extent that any such delegation is inconsistent with these regulations.

Accordingly, the following amendments to regulations codified in Title 39, Code of Federal Regulations, are hereby made to be effective upon publication (10-6-71).

In Subchapter D (36 F.R. 4755, 12402), Parts 211, 212, 213, 222, 223, and 235 are revised to read as follows:

#### PART 211—GENERAL PRINCIPLES OF ORGANIZATION

Sec.	
211.1	The U.S. Postal Service.
211.2	Board of Governors of the Postal Service.
211.3	Postmaster General.
211.4	Deputy Postmaster General.
211.5	Executive Assistant to the Postmaster General.
211.6	Postal Service Advisory Council.
211.7	Groups and Departments.
211.8	Officers serve at pleasure of Postmaster General.
211.9	Postal Field Service.
211.10	Conversion of terms.

**AUTHORITY:** The provisions of this Part 211 issued under authority of 39 U.S.C. 201, 202, 203, 204, 206, 401(2), 402, 403, 404, as enacted by Public Law 91-375, 84 Stat. 719.

##### § 211.1 The U.S. Postal Service.

(a) The U.S. Postal Service has been established as an independent establishment within the executive branch of the Government of the United States under the provisions of the Postal Reorganization Act of August 12, 1970, Public Law 91-375, 84 Stat. 719.

(b) As a complement to the information in the regulations in this part, a concise statement of the organization of the Postal Service can be found in the U.S. Government Organization Manual.

##### § 211.2 Board of Governors of the Postal Service.

(a) The Board of Governors directs the exercise of the powers of the Postal Service. It reviews the practices and

policies of the Postal Service and directs and controls its expenditures.

(b) For composition of the Board of Governors, see § 3.1 of this chapter.

##### § 211.3 Postmaster General.

(a) The Postmaster General is the chief executive officer of the Postal Service and is responsible for its overall operation. He is named and can be removed by an absolute majority of the nine members of the Board of Governors, statutorily designated "Governors", who are appointed by the President with the advice and consent of the Senate. He is a voting member of the Board of Governors.

(b) The Postmaster General determines appeals from the actions of staff and department heads, except that in cases where he has delegated authority to make a decision to a subordinate, such subordinate may also determine appeals within the authority delegated.

(c) The Board of Governors has directed that the Postmaster General exercise the powers of the Postal Service to the extent that such exercise does not conflict with power reserved to the Board by law. The Postmaster General is authorized to direct any officer, employee, or agency of the Postal Service to exercise such of his powers as he deems appropriate. For the direction of the Board of Governors that the Postmaster General exercise the powers of the Postal Service, see §§ 3.9 and 5.3 of this chapter.

##### § 211.4 Deputy Postmaster General.

(a) The Deputy Postmaster General is the chief operating officer of the Postal Service and a voting member of the Board of Governors. He is appointed and can be removed by the Postmaster General and Governors.

(b) He directs all postal operations and delegates such of his authority as he considers appropriate. He is required to perform all tasks assigned him by the Postmaster General. He acts as Postmaster General in the Postmaster General's absence or whenever a vacancy exists in the Office of Postmaster General.

(c) During any period when, by reason of absence, disability or vacancy in office, neither the Postmaster General nor the Deputy Postmaster General is available to exercise the powers or perform the functions of the office of Postmaster General, the first official on the list in § 212.1(c) of this chapter who is available to do so shall perform the functions of the Postmaster General.

(d) For delineation of authority of the Deputy Postmaster General by the Board of Governors see § 5.4 of this chapter.

##### § 211.5 Executive Assistant to the Postmaster General.

The Executive Assistant to the Postmaster General coordinates certain activities on behalf of the Postmaster General, directs the Postmaster General's office staff, and performs such additional duties as are assigned by the Postmaster General. He reports directly to the Postmaster General.

##### § 211.6 Postal Service Advisory Council.

The Postal Service Advisory Council consults with and advises the Postal Service with regard to all aspects of postal operations. It consists of the Postmaster General who is Chairman, the Deputy Postmaster General who is Vice Chairman, and 11 additional members appointed by the President as follows: Four representatives of postal labor organizations, four representatives of major mail users, and three representatives of the public at large.

##### § 211.7 Groups and Departments.

(a) Postal Service Headquarters is partially divided into three groups—Mail Processing, Customer Services, and Support. Each group is headed by a Senior Assistant Postmaster General who reports to the Deputy Postmaster General. Senior Assistant Postmasters General are responsible for the following activities with respect to Postal Service activities within their assigned areas:

- (1) Program planning, direction, and review;
- (2) Establishment of policies, procedures, and standards; and
- (3) Operational determinations not within the full jurisdiction of field officers.

(b) Each group is in turn divided into departments or offices headed by either Assistant Postmasters General or Directors who report to the Senior Assistant Postmaster General. The heads of these departments and offices are responsible for assisting their Senior Assistant Postmasters General in carrying out the activities assigned their groups.

(c) In addition to the three operating groups under the Deputy Postmaster General, certain departments report directly to the Postmaster General. These are departments whose activities are not concerned primarily with day-to-day operational matters. They are the Departments of Planning, Communications and Public Affairs, and Research, each headed by an Assistant Postmaster General; Government Relations, headed by an Executive Assistant to the Postmaster General; Inspection Service, headed by the Assistant Postmaster General and Chief Postal Inspector (sometimes referred to in the regulations simply as Assistant Postmaster General, Inspection Service); Law Department, headed by the Senior Assistant Postmaster General and General Counsel (sometimes referred to in the regulations simply as General Counsel); and Consumer Advocate. They are responsible for policy-making and overall direction within their assigned areas. There is also a Judicial Officer who performs such quasi-judicial duties as the Postmaster General may assign.

(d) Statements of the functions of the various groups, departments, and offices can be found in Part 222 of this chapter.

##### § 211.8 Officers serve at pleasure of Postmaster General.

The following officers, who report directly to the Postmaster General or Deputy Postmaster General, are appointed

by the Postmaster General and serve at his pleasure: Senior Assistant Postmasters General (including the General Counsel), Regional Postmasters General, Assistant Postmasters General, Executive Assistants who report to the Postmaster General, the Consumer Advocate, and the Judicial Officer. The number of Senior Assistant Postmasters General and Assistant Postmasters General is set by resolution of the Board of Governors.

**§ 211.9 Postal field service.**

(a) *Postal Regions.* (1) There are five Postal Regions. Each region is headed by a Regional Postmaster General who reports to the Deputy Postmaster General and has overall responsibility for operational activities (except those reserved to Headquarters) of the Postal Service within his region.

(2) Each Regional Postmaster General's office includes three departments parallel to the groups at the Headquarters level—Mail Processing, Customer Services, and Support. Each regional department is headed by an Assistant Regional Postmaster General who reports to the Regional Postmaster General.

(3) In addition to the three departments, there is, within each Regional Postmaster General's office, a Regional Counsel, and an office of Communications and Public Affairs which is headed by a Director. The Regional Counsel and the Director, Communications and Public Affairs, each report directly to the Regional Postmaster General.

(b) (1) Postal Regions are composed of Metropolitan Centers headed by Metropolitan Center Managers, Metropolitan Areas headed by Metropolitan Area Managers, and Districts headed by District Managers. Their organizational units are in turn composed of Sectional Centers headed by Sectional Center Managers.

(2) Each Metropolitan Center Manager, each Metropolitan Area Manager, and each District Manager reports to the Regional Postmaster General, and has line responsibility for postal operations (except those reserved to Headquarters) in the Sectional Centers within his area.

(3) Each Sectional Center Manager reports to a Metropolitan Center Manager, a Metropolitan Area Manager, or a District Manager, as appropriate, and has line responsibility for postal operations (except those reserved to Headquarters) at offices within his Sectional Center.

(c) *Postal Data Centers.* There are six Postal Data Centers, each under a Director who is responsible for:

(1) Accounting, disbursing, and data processing for assigned areas.

(2) Adjudication of claims pursuant to authority delegated to him by the Senior Assistant Postmaster General, Support.

(d) For a detailed statement of the organization of the Postal Regions see Part 223 of this subchapter.

**§ 211.10 Conversion of terms.**

(a) In any regulation of the Postal Service outside Parts 211, 212, 213, 222,

223, and 235 of this subchapter, unless the context otherwise requires, references to the:

(1) Assistant Postmaster General, Operations Department with regard to matters concerning mail processing shall be deemed to mean the Senior Assistant Postmaster General, Mail Processing Group;

(2) Assistant Postmaster General, Operations Department with regard to matters concerning customers relations and delivery shall be deemed to mean the Senior Assistant Postmaster General, Customer Services Group;

(3) Assistant Postmaster General, Operations Department with respect to functions of the Operations Department as liaison office with the Postal Regions shall be deemed to mean the Deputy Postmaster General;

(4) Assistant Postmaster General, Finance and Administration Department shall be deemed to mean the Senior Assistant Postmaster General, Support Group;

(5) Assistant Postmaster General, Personnel Department shall be deemed to mean the Senior Assistant Postmaster General, Support Group;

(6) Assistant Postmaster General, Facilities Department with regard to matters concerning procurement, shall be deemed to mean the Senior Assistant Postmaster General, Support Group;

(7) Assistant Postmaster General, Facilities Department with regard to matters concerning real property, equipment, and postal facility design and construction shall be deemed to mean the Senior Assistant Postmaster General, Mail Processing Group;

(8) Assistant Postmaster General, Research and Engineering Department with regard to matters concerning research and development shall be deemed to mean the Assistant Postmaster General, Research Department;

(9) Assistant Postmaster General, Research and Engineering Department with regard to matters concerning engineering and processing of mail shall be deemed to mean the Senior Assistant Postmaster General, Mail Processing Group;

(10) Assistant Postmaster General, Research and Engineering Department, with regard to matters concerning procurement shall be deemed to mean the Senior Assistant Postmaster General, Support Group;

(11) Assistant Postmaster General, Planning and Marketing Department with regard to planning shall be deemed to mean the Assistant Postmaster General, Planning Department;

(12) Assistant Postmaster General, Planning and Marketing Department with regard to matters concerning marketing and customer services shall be deemed to mean the Senior Assistant Postmaster General, Customer Services Group;

(13) Chief Postal Inspector shall be deemed to mean the Assistant Postmaster General, Inspection Service;

(14) General Counsel shall be deemed to mean the Senior Assistant Postmaster General and General Counsel;

(15) Assistant Postmaster General, Bureau of Transportation shall be deemed to mean the Senior Assistant Postmaster General, Mail Processing Group;

(b) The same conversion of terms applied in paragraph (a) of this section to officers enumerated there shall apply to the groups, departments, or offices which they head.

(c) Where the conversion rules stated in paragraph (a) of this section do not explicitly cover a particular officer, employee or organizational unit, references shall be deemed to refer to the officer, employee or organizational unit in the new organization performing functions most similar to those performed by the corresponding officer, employee, or organizational unit in the old organization.

**PART 212—DELEGATIONS OF AUTHORITY**

Sec.	
212.1	Authority for delegation.
212.2	Media of delegation.
212.3	Contents of delegations.
212.4	Redelegation.
212.5	Authority to approve personnel actions.
212.6	Authority to administer oaths.
212.7	Authority to designate certifying officers—Headquarters.
212.8	Authority to designate certifying officers—Field.
212.9	Delegation of authority to the Senior Assistant Postmaster General, Support Group.

**AUTHORITY:** The provisions of this Part 212 issued under 39 U.S.C. 203, 204, 401(2), 402, 403, 404, 409, as enacted by Public Law 91-375, 84 Stat. 719.

**§ 212.1 Authority for delegation.**

(a) The Postmaster General is empowered to authorize any employee or agency of the Service to exercise any function vested in the Postal Service, in him, or in any other Postal Service employee.

(b) The Deputy Postmaster General is the full alternate to the Postmaster General.

(c) When, by reason of absence, disability, or vacancy in office, neither the Postmaster General nor the Deputy Postmaster General can act as Postmaster General, the first available official on the following list will do so as acting Postmaster General:

(1) Senior Assistant Postmaster General, Support Group;

(2) Senior Assistant Postmaster General, Mail Processing Group;

(3) Senior Assistant Postmaster General, Customer Services Group;

(4) Senior Assistant Postmaster General and General Counsel.

(d) The Postmaster General has been authorized by the Board of Governors to exercise the powers of the Postal Service to the full extent that such exercise is lawful. See §§ 3.9 and 5.3 of this chapter.

(e) The Senior Assistant Postmasters General (including the General Counsel), the Assistant Postmaster General, Research, the Assistant Postmaster General, Planning, the Assistant Postmaster General, Communications and

Public Affairs, the Executive Assistant, Government Relations, the Assistant Postmaster General, Inspection Service, the Consumer Advocate, the Judicial Officer and the Executive Assistant to the Postmaster General (see § 211.5 of this chapter), act for the Postmaster General on assigned matters. Each of these officers is authorized to exercise the powers and functions of the Postal Service under the Postal Reorganization Act, in respect to matters within the area of his responsibility, except as limited by law or by the specific terms of his assignment.

(f) Each head of a department or office who reports to a Senior Assistant Postmaster General is authorized to exercise the powers and functions of that Senior Assistant Postmaster General within the area of responsibility of his department or office, except as such authority may be reserved or rescinded by the Senior Assistant Postmaster General or is limited by law or the terms of his specific assignment.

(g) In the absence of any head of a group, department, or office, an officer designated by him shall act in his place. The acting head of a group, department, or office is authorized to sign documents in his own name as Acting Senior Assistant Postmaster General, Acting Assistant Postmaster General, etc.

(h) Each Regional Postmaster General is authorized to exercise the powers and functions of the Postal Service under the Postal Reorganization Act with respect to operational activities within his Region, except as such authority is limited by law, regulation or the terms of his specific assignment.

(i) Each head of a regional department, division, or branch is authorized to exercise the powers and functions of the Postal Service under the Postal Reorganization Act with respect to matters in his area of responsibility, except as such authority is reserved or rescinded by the Regional Postmaster General, or is limited by law, regulation or the terms of his specific assignment.

(j) In the absence of the head of any regional department, division, or branch, an officer designated by him shall act in his place. The acting head of a regional department, division, or branch is authorized to sign documents in his own name as such acting head.

(k) In the event of a vacancy in the position of Assistant Regional Postmaster General, Division Director, or Branch Manager, the position shall be filled on an acting basis by an officer designated by the next higher superior.

#### § 212.2 Media of delegation.

(a) All delegations of authority shall be issued through official directives.

(b) Headquarters or regional officials shall not orally authorize postmasters to deviate from published instructions, except in emergencies. An oral authorization shall be confirmed by a memorandum or order dated subsequent to the issuance date of the most recently published instructions on the subject. Postal inspectors shall charge as irregularities

any improperly authorized deviations observed in the course of office inspections.

#### § 212.3 Contents of delegations.

(a) Delegations of authority shall ordinarily be made by position title rather than by name of the individual involved. An officer or executive acting in the absence of a principal has his principal's full authority.

(b) When authority is delegated to an officer, the officers above him shall have the same authority. Delegated authority shall not extend to aides, except when an aide serves on an acting basis (see paragraph (a) of this section) or unless the aide is specifically authorized by his superior to exercise such authority.

(c) A delegation must accord with the law and regulations under which it is made and contain such specific limiting conditions as may be appropriate.

#### § 212.4 Redelegation.

(a) Except as otherwise prohibited by law, or by a regulation that expressly prohibits redelegation, or by the terms of the delegation:

(1) The head of a group, department, or office at Headquarters is authorized to redelegate any authority vested in him.

(2) A Regional Postmaster General or head of a regional department, division, or branch is authorized to redelegate any authority vested in him subject to the condition that redelegation to members of a regional staff must be consistent with the then current regional organizational structure.

(3) A Metropolitan Area Manager, a District Manager, or a Metropolitan Center Manager is authorized to redelegate, subject to or within guidelines issued by the Regional Postmaster General, any authority vested in him provided that the redelegation is consistent with the current metropolitan area, district, or metropolitan center organizational structure.

(4) A Director, Postal Data Center, is authorized to redelegate any authority vested in him.

(5) Heads of Sectional Center facilities and other field installations are authorized to redelegate to members of their respective staffs any authority vested in them.

#### § 212.5 Authority to approve personnel actions and administer oaths of office for employment.

(a) *Delegation.* The following are authorized to effect appointments, administer oaths, and take other personnel actions:

(1) Assistant Postmaster General, Employee Relations Department;

(2) Assistant Postmaster General, Inspection Service;

(3) Regional Chief Inspectors;

(4) Inspectors-in-Charge;

(5) Regional Postmasters General;

(6) Heads of postal field installations including those reporting directly to specified departments in Headquarters or to Regional Postmasters General;

(7) Officials occupying personnel services positions PMS/PS-9/PES and above when their positions include responsibility for functions such as recruitment, appointments, placement, position changes and separations, and related personnel processing.

(b) *Personnel actions for employees of "other installations."* As specifically authorized by either the Assistant Postmaster General, Employee Relations Department, or a Regional Postmaster General, officers and employees listed in paragraph (a) of this section may approve personnel actions for employees in offices or installations other than their own as a cross-service, as a central personnel office, or on a special need basis.

#### § 212.6 Authority to administer oaths other than for employment.

The following are authorized to administer oaths concerning matters other than employment:

(a) Postal inspectors with regard to any matter coming before them in the performance of their official duties;

(b) Any member of a board who is assigned to conduct hearings or investigations in which sworn testimony, affidavits, or depositions are required and each officer or employee assigned to conduct such hearings or investigations.

(c) Postmasters. See § 244.2 of this chapter.

#### § 212.7 Authority to designate certifying officers—Headquarters.

(a) *Delegation.* The following are authorized to designate certifying officers at Headquarters for the items specified:

(1) The Assistant Postmaster General, Inspection Service, for: (i) Payment from his special deposit account; (ii) disbursements for rewards based on Postmaster General Notices of Reward; (iii) payments from confidential funds; (iv) salary payments for Special Investigations Division; (v) advances of funds for confidential purposes; (vi) inspection service, travel advances, transportation of things; and (vii) payments for special analyses and services.

(2) The General Counsel certifies payments relating to tort claims and claims under 39 U.S.C. 2603.

(3) The Senior Assistant Postmaster General, Support Group, certifies all payments not covered by subparagraphs (1) and (2) of this paragraph.

(b) *Redelegation.* The officials named in paragraph (a) of this section are authorized to redelegate their authority to designate certifying officers. The redelegation shall be made by letter to the appropriate Postal Data Center disbursing officer and must bear the specimen signature of the person to whom the authority is redelegated.

(c) *Designating certifying officers—(1) Inspection Service and Law Department.* Officials authorized to designate certifying officers (see paragraph (a) of this section) will complete SF 210, Signature Card for Certifying Officer, in duplicate for each Postal Data Center disbursing officer affected to show:

(i) Name of department for which vouchers will be certified.

(ii) Signature of certifying officer written exactly as he will sign vouchers.

(iii) Class of vouchers to be certified.

(iv) His signature and effective date.

(2) *Other departments and offices.* Other departments and offices requiring certifying officers will complete SF 210 in duplicate as prescribed in subparagraph (1) of this paragraph, except for signature and date. Both copies will be sent to the Senior Assistant Postmaster General, Support Group.

(3) *Submitting SF 210 to Postal Data Center disbursing officers.* The Assistant Postmaster General, Inspection Service, the General Counsel, and the Senior Assistant Postmaster General, Support Group, or their designees shall send signed originals of SF 210 to each of the disbursing officers affected and retain duplicates. These documents will be the official designations of the employees named on the SF 210 as certifying officers.

(d) *Maintaining designations.* Each group, department and office must keep current its designation of authorized certifying officers. When new or additional designations are made, the procedures for designating certifying officers contained in this § 212.7 shall be followed.

§ 212.8 Authority to designate certifying officers—Field.

(a) *Delegation.* The following are authorized to designate certifying officers in Postal Data Centers and Inspection Service regions and divisions:

(1) The Assistant Postmaster General, Inspection Service, for obligations of the Inspection Service.

(2) Postal Data Center Directors for obligations of all other regional functions.

(3) The New York Postal Data Center Director for obligations for Headquarters functions except those under § 212.7(a) (1) and (2) and those certified by the Senior Assistant Postmaster General, Support Group, or his designee.

(b) *Redelegation.* The officials named in paragraph (a) of this section are authorized to redelegate their authority to designate certifying officers. Redesignations shall be by letter to each disbursing officer affected, with the specimen signature of the person to whom authority is redelegated.

(c) *Designating certifying officers—*  
(1) *Regional Chief Inspectors and Inspectors-in-Charge.* Regional Chief Inspectors and Inspectors-in-Charge are designated certifying officers, as limited by the Assistant Postmaster General, Inspection Service. They are authorized to designate certifying officers for obligations incurred by the Inspection Service. They will complete SF 210, Signature Card for Certifying Officer, in duplicate to show:

(i) Inspection Service region or division for which vouchers will be certified.

(ii) Signature of certifying officer written in the same manner that he will sign vouchers.

(iii) Class of vouchers to be certified.

(iv) Signature of the designating official and effective date. Regional Chief In-

spectors and Inspectors-in-Charge are not authorized to redelegate their authority to designate authorized certifying officers.

(2) *Postal Data Center Directors.* Officers under direction of Postal Data Center Directors will complete SF 210 in duplicate as in paragraph (c) (1) of this section except for signature and date. Both copies will be sent to the appropriate Postal Data Center Director for completion.

(3) *Submitting SF 210 to disbursing officer.* The Regional Chief Inspector, Inspector-in-Charge, and Postal Data Center Director (or his designees) will send the originals of SF 210 to each disbursing officer affected and keep the duplicates. These will be the official designations of the employees named on the SF 210 as certifying officers.

(d) *Maintaining designations.* Each office under jurisdiction of the officials named in § 212.8 must keep current its designation of authorized certifying officers. When new additional designations are made, this § 212.8 shall be followed.

§ 212.9 Delegation of authority to the Senior Assistant Postmaster General, Support Group.

(a) *Delegation.* The Senior Assistant Postmaster General, Support Group, may take final action in his own name on:

(1) Claims for overpayment of pay.

(2) Relief of accountable officers of liability for loss.

(3) Relief of accountable officers of liability for illegal, improper, or incorrect payments.

(4) Certifying officers' accountability.

(5) Deposit to and withdrawal from Postal Service fund.

(6) Collection of debts due the Postal Service with the exception of those falling under the jurisdiction of the Assistant Postmaster General, Inspection Service.

(7) Adjustment of claims of postmasters and Armed Forces postal clerks, including the loss of funds or valuable papers from their official custody resulting from burglary, fire, or unavoidable casualty, with concurrence by the General Counsel in cases involving doubtful questions of law or fact.

(d) *Redelegation.* The Senior Assistant Postmaster General, Support Group, is authorized to redelegate all or part of the authority vested in him by paragraph (a) of this section to such other officers or executives as he may deem appropriate.

## PART 213—RELATIONSHIPS AND CHANNELS OF COMMUNICATION

Sec.

213.1 Relationships.

213.2 Channels of communication.

**AUTHORITY:** The provisions of this Part 213 issued under 39 U.S.C. 203, 204, 401(2), 402, 403, 404, as enacted by Public Law 91-376, 84 Stat. 719.

§ 213.1 Relationships.

(a) *Between Headquarters groups, departments, and offices.* Headquarters

groups, departments, and offices serve in a staff relationship to the Postmaster General and the Deputy Postmaster General in assigned functional areas.

(b) *Between Headquarters, Postal Regions, and Postal Data Centers.* Each Headquarters group, department, and office shall provide guidance and policy interpretation to regional officials in its area of responsibility. The Support Group shall provide guidance and policy interpretation to Postal Data Centers.

(c) *Between Postal Region Offices and Metropolitan Center, Metropolitan Area and District Offices.* The Regional Postmaster General shall provide guidance and direction to the respective Metropolitan Center, Metropolitan Area and District Managers within his region with the assistance of Assistant Regional Postmasters General and their staffs in their areas of specialization.

(d) *Between Metropolitan Center, Metropolitan Area, District Offices and Sectional Centers.* The respective Metropolitan Center, Metropolitan Area and District Managers and staffs shall provide guidance and direction to their respective Sectional Center Managers for the guidance of Postmasters under their respective jurisdictions. The Sectional Center Managers will provide guidance and direction to their respective associate Postmasters.

§ 213.2 Channels of communication.

(a) *Headquarters and Postal Region Offices.* (1) The heads of groups, departments, and offices formulate the necessary directives to provide guidance to Regional officials.

(2) Policy directives shall be issued over the signatures of the heads of the groups, departments, and offices covering matters within their responsibility, except when the Postmaster General or Deputy Postmaster General may wish to issue such directives personally. Policy directives shall be coordinated with other appropriate groups, departments and offices before issuance and reviewed and disseminated by the Senior Assistant Postmaster General, Support, and, if within the authority of the issuer, shall have the same effect as though sent by the Postmaster General or the Deputy Postmaster General.

(3) Guidelines and program implementation instructions and procedures not involving policy shall ordinarily be issued over the signature of the group, department, or office head having jurisdiction.

(4) Regional staff officials may communicate directly with the corresponding functional group, department, or office in Headquarters on matters within their area of jurisdiction. In addition, where authorized, they may also directly contact supporting Headquarters departments such as Law Department, Inspection Service, and Department of Communications and Public Affairs on technical matters not requiring administrative judgment of the Regional Postmaster General.

## RULES AND REGULATIONS

(b) *Postal Region Offices and Postal Installations.* The regular channels of communication are:

(1) Associate Office Postmasters, to and from Sectional Center Postmasters;

(2) Sectional Center Postmasters, to and from Metropolitan Center Managers, Metropolitan Area Managers, or District Managers as appropriate;

(3) Metropolitan Center Managers, Metropolitan Area Managers, and District Managers to and from their Regional Postmasters General;

(4) Heads of other Postal Installations, to and from their designated superiors as appropriate.

(c) *Headquarters, Postal Region Offices, and other Postal Installations with Postal Data Centers.* (1) The Support Group provides the necessary directives to the Postal Data Centers. All other Headquarters communications to and from the Postal Data Centers shall be coordinated with the Support Group. The Law Department and the Postal Data Centers shall maintain direct contact on matters relating to professional and policy guidance on claims.

(2) Postal Region Offices and Postal Data Centers may communicate directly with each other.

(3) Other Postal Installations and Postal Data Centers may communicate directly on routine accounting matters. All other communications shall be coordinated with the regional staff.

## PART 222—DEPARTMENTS

Sec.	
222.1	Mail Processing Group.
222.2	Customer Services Group.
222.3	Support Group.
222.4	Planning Department.
222.5	Research Department.
222.6	Communications and Public Affairs Department.
222.7	Government Relations Department.
222.8	Postal Inspection Service.
222.9	Consumer Advocate.
222.10	Law Department.
222.11	Judicial Officer.

**AUTHORITY:** The provisions of this Part 222 issued under 39 U.S.C. 203, 204, 401(2), 402, 403, 404, 409, as enacted by Public Law 91-375, 84 Stat. 719.

## § 222.1 Mail Processing Group.

(a) The Mail Processing Group is headed by the Senior Assistant Postmaster General, Mail Processing, who reports to the Deputy Postmaster General. It has overall responsibility for all aspects of mail processing within the Postal Service. This responsibility includes the distribution and processing functions, the construction and mechanization of the processing facilities, and the transportation of mail throughout the Postal Service. It establishes and evaluates mail processing policies. It has responsibility for the operation of the bulk mail program and network and transportation between the bulk mail facilities. Also, it has responsibility for real estate transactions and for coordination of the use of the Corps of Engineers in constructing all major postal facilities. This includes internal capability for design and construction of major

modifications or additions to existing facilities. It has responsibility for acquisition of land or interests in land by condemnation or otherwise.

(b) The Senior Assistant Postmaster General, Mail Processing, participates in the planning and budget process and reviews and evaluates the mail processing, transportation, and construction portions of the plans and budget requests of each Region. He monitors for the Deputy Postmaster General the performance of the Mail Processing Department of each Region.

(c) The Mail Processing Group is divided into three departments whose heads report to the Senior Assistant Postmaster General, Mail Processing Group:

(1) *Preferential Mail Processing Department.* The Preferential Mail Processing Department is headed by the Assistant Postmaster General, Preferential Mail Processing. It is concerned with processing of preferential mail and has overall responsibility for the development of the preferential mail network. It is responsible for the systems and equipment development work required to develop and implement the preferential mail network. It is also responsible for the development of methods and standards, and distribution systems to be used in the system. It is responsible for review and evaluation of the preferential mail processing budget.

(2) *Bulk Mail Processing Department.* The Bulk Mail Processing Department is headed by the Assistant Postmaster General, Bulk Mail Processing. It is concerned with the processing of bulk mail. It has overall responsibility for the management of bulk mail processing operations throughout the Postal Service. It provides central staff support to Regional Postmasters General for bulk mail operations and has staff capability in the areas of systems, equipment and facility engineering; distribution procedures and mail handling; industrial engineering, plant and equipment maintenance and performance appraisal. It also has responsibility for monitoring the productivity performance of the bulk mail processing operations of the Regions. In addition, it has direct responsibility for bulk mail installations as assigned by the Deputy Postmaster General. In this regard, it exercises direct supervision over and is responsible for review and evaluation of the individual bulk mail facility plans and budgets.

(3) *Engineering and Logistics Department.* The Engineering and Logistics Department is headed by the Assistant Postmaster General, Engineering and Logistics. It has overall responsibility for the policy direction of all transportation within the Postal Service to foreign countries and to and between military installations outside the United States, and is responsible for all types of engineering necessary to support present mail processing operations. It plans and develops a national transportation and routing system and monitors performance of each region with respect to achievement of transportation and proc-

essing standards and productivity goals. It is also responsible for budget review and approval for all mail processing and transportation activities not designated as part of the preferential or the bulk mail networks.

## § 222.2 Customer Services Group.

(a) The Customer Services Group is headed by the Senior Assistant Postmaster General, Customer Services, who reports to the Deputy Postmaster General. It has overall responsibility for all of the marketing and public contact activities of the Postal Service, including retail and delivery services. It carries out all of the product management functions, including the development and implementation of marketing programs, market research and product development. It has program planning and field support responsibilities for customer cooperation activities. This includes programs for both the general public and major customers. It also has management responsibilities for the merchandising, delivery, and collection programs and provides staff direction to the window clerk and carrier forces. Other responsibilities include the design of postal lobbies, developing new forms of window and delivery services, lobby equipment and improving present work methods in these areas. The group also evaluates service levels.

(b) The Senior Assistant Postmaster General, Customer Services, participates in the planning and budget process, and reviews and evaluates the product management, sales, retail and delivery portions of the plans and budget requests of each region. He monitors for the Deputy Postmaster General the performance of the Customer Services Department of each region.

(c) The Customer Services Group is divided into three departments whose heads report to the Senior Assistant Postmaster General, Customer Service Group:

(1) *Product Management Department.* The Product Management Department is headed by the Assistant Postmaster General, Product Management. It has responsibility for developing new postal products, modifying current ones, and executing marketing programs for all products. It defines service goals and other product characteristics, works with the Finance Department to develop pricing recommendations for each postal product, and directs the work of product managers who have broad responsibility for the day-to-day business of each product. This includes:

(i) Setting sales volume objectives and monitoring performance against these objectives in conjunction with the Headquarters and field sales forces;

(ii) Establishing, in conjunction with the Department of Communications and Public Affairs, product marketing plans, including the formulation of advertising and promotion strategies, programs and budgets;

(iii) Developing advertising, in concert with the Department of Communications and Public Affairs;



(iv) Monitoring product profit and loss and recommending areas for improvement.

To assist in establishing marketing programs, it supervises a market research function which carries out (or obtains from contractors) market studies to measure customer reaction to present and proposed postal products and product concepts. It also maintains a product development staff responsible for revising current products and developing new ones, and directs the work of product promotion.

(2) *Customer Development Department.* The Customer Development Department is headed by the Assistant Postmaster General, Customer Development. It is responsible for developing customer cooperation programs for mail users, developing program objectives, and setting cost savings targets for programs directed at large postal customers, such as presort and mail early. It provides staff guidance for regional services and sales staffs and customers service representatives in the field through sales methods, presentation kits, prototype sales letters, computerized ZIP code lists, and other support materials directed at large mailers. In conjunction with the Employees Relations Department, it develops and carries out sales training programs for both the regional direct sales forces and the customer service representatives in the field. It directs the work of a small direct sales force in Washington which sells postal services to businesses and other Government agencies, coordinating this effort with the field sales force. In conjunction with the Department of Communications and Public Affairs it develops and executes a comprehensive program of cooperation from the general public; develops cost savings objectives; establishes promotional budgets; and secures advertising for such programs as ZIP code and Christmas mail early. It develops educational and promotional support materials such as ZIP code manuals. It is responsible for the National Postal Forum and activities of the Postmaster General's Mailers Technical Advisory Committee. It maintains the principal marketing and sales contact with associations and industry officials at the national level necessary to support marketing and sales objectives. It has broad responsibility for all the Postal Service's window operations, retail requirements, contract stations, self-service and automated postal units, and merchandising. It establishes policies relating to the use of the Postal Service retail network and has overall budget review and program planning responsibility. It determines what products and services, in addition to postal products, will be offered to the public through the system. It develops national retail merchandising and promotion programs, lobby exhibits and graphic design for lobbies, and directs the national program for lobby design and customer counter services. It is responsible for overall post office lobby design and for customer support equipment, and in conjunction with the Re-

search Department, for developing such alternatives to traditional window service as self-service units, and all retail locations outside traditional post office lobbies. It develops and tests new and improved vending equipment. In conjunction with the Employee Relations Department, it develops training programs and designs uniforms for window service personnel and develops policies relating to stock supply and credits.

(3) *Delivery Services Department.* The Delivery Services Department is headed by the Assistant Postmaster General, Delivery Services. It has overall responsibility for the national postal collection and delivery program including fleet management. It works with the Product Management Department to set national collection and delivery policy and standards as they relate to published product characteristics. It establishes policy and develops programs for using the postal delivery system. It has national program planning and budget responsibility, and conducts cost benefit analyses of the entire postal delivery program, recommending potential areas for cost reductions and improvement. It has overall staff responsibility for all postal carriers. In conjunction with the Employee Relations Department, it develops training programs with respect to carriers and specifies uniform and mailbag design. It works in cooperation with the Research Department to develop safety equipment such as shoes and boots. It is responsible for the design of and experimentation with carrier vehicles and for specifying and compiling vehicle requirements. As part of its program management efforts, it is responsible for developing, testing, and implementing alternate means of delivery and for establishing improved work methods and designs relating to present delivery techniques. To accomplish these two functions, it directs developmental and industrial engineering staffs which develop and evaluate prototype equipment and originate improved delivery techniques or monitor contracts for these services.

#### § 222.3 Support Group.

(a) Seven activities that provide specialized support for postal activities are included in the Support Group headed by the Senior Assistant Postmaster General, Support Group, who reports to the Deputy Postmaster General.

(b) The Support Group is divided into four departments and three offices, corresponding to the seven support activities. The heads of these departments and offices report to the Senior Assistant Postmaster General, Support Group. The Support Group departments and offices are:

(1) *Finance Department.* The Finance Department is headed by the Assistant Postmaster General, Finance. It is responsible for forecasting and meeting the Postal Service's requirements for long term capital and short term borrowing. It invests the funds of the Service and prescribes and monitors practices governing cash management. It works with other officials in developing credit management policies. The Finance Depart-

ment designs and maintains the Postal Service rate structure, develops and administers standards and procedures relating to mail classification, cost analysis and attribution, and related functions, and makes and defends recommendations to the Postal Rate Commission in conjunction with the Law Department. The Finance Department develops the systems and specifies the standards and schedules for the Postal Service's budget process. It analyzes budget requests and makes recommendations to the Deputy Postmaster General on budget levels. It analyzes Postal Service performance with reference to operating plans continuously. The Finance Department develops accounting policy and procedures. It operates the financial reporting program and maintains accounting controls throughout the Service. It provides the basic processing services associated with the money order program and assists the Customer Services Group in developing money order program policy.

(2) *Employee Relations Department.* The Employee Relations Department is headed by the Assistant Postmaster General, Employee Relations. It provides direction and authority for all matters pertaining to employee relations throughout the Postal Service. It directs the development, implementation, and auditing of employee relations plans, policies, standards, and procedures. It establishes broad employee relations policy for the Postal Service in the areas of labor relations, employee services, and manpower planning and development. It represents and takes final action for the Postmaster General in all employee relations matters including negotiating for the Postal Service in collective bargaining with the postal unions. It directs the administration of collective bargaining agreements and negotiated grievance procedures. It directs the implementation of the National Labor Relations Act and applicable executive orders and directives pertinent to employee relations matters. It directs the development and maintenance of a strong auditing system for assuring compliance with established employee relations policy throughout the Postal Service. It directs an organization and manpower planning program to serve each postal unit in establishing the proper "table of organization" and to improve the operating effectiveness of these units through management and career development, skills training, and professional development. In this connection, it organizes and manages field training and management development installations. It establishes and maintains a manpower information system to provide accurate data in manpower planning, staffing, and other employee relations matters. It directs the administration of all employee services throughout the Postal Service which includes wage and salary administration and benefits, recruiting and staffing, personnel services, accident prevention, and occupational health service. It directs an employee communications program in conjunction with the Communications and Public Affairs Department to keep

the employees informed of plans, programs, and newsworthy items of interest to a well-informed postal worker. It is responsible for the day-to-day implementation of equal employment opportunity affirmative action within the Postal Service, working in coordination with the Office of Equal Employment Compliance. It supervises employee relations research activities to establish or change personnel programs or procedures or to evaluate their effectiveness.

(3) *Administration Department.* The Administration Department is headed by the Assistant Postmaster General, Administration. It is responsible for the procurement activities of the Postal Service. It has responsibility for the policy direction and review of all procurement activities within the Postal Service, and for all Headquarters procurement except transportation contracting. It is also responsible for administration of Headquarters personnel actions. It manages Headquarters operating services, including printing, library, telephone switchboard, and Headquarters building maintenance and repair. It controls and administers supplies and inventories for the entire Postal Service.

(4) *Management Information Systems Department.* The Management Information Systems Department is headed by the Assistant Postmasters General, Management Information Systems. It is concerned with automatic data processing, statistical programs, information requirements, and reports. It is responsible for the prompt delivery of information on field activities to postal management. It provides automatic data processing and statistical support to management and assists clients in determining their information needs. It specifies controls on use, modification, or implementation of information systems, including manual and automated systems and exercises those functions of control over information systems which are discharged centrally at Headquarters. It administers the Postal Data Centers and Automatic Data Processing Centers in the field.

(5) *Office of International Postal Affairs.* The Office of International Postal Affairs is headed by the Director of International Postal Affairs. It represents the U.S. Postal Service in its relationships with other countries and with international postal organizations, such as the Universal Postal Union and the Postal Union of the Americas and Spain. Working with other functional areas, it develops and recommends U.S. policy and positions on proposals of foreign governments submitted to postal congresses, prepares and recommends U.S. proposals, and negotiates postal agreements with other countries. It maintains liaison with other Government agencies, such as the State Department, on nonoperational international mail matters. It assigns international postal matters to functional areas for statements of policy or recommendations of policy, reports or correspondence, particularly in the areas of international rates and classification, international money orders, logistics and

parcel post. It directs the foreign visitor programs; develops training programs for visiting postal study groups; maintains liaison with the Agency for International Development on the training of participants from other countries; and directs the international personnel exchange program. It is responsible for protocol in dealing with foreign visitors and for translations of foreign materials.

(6) *Office of Equal Employment Compliance.* The Office of Equal Employment Compliance is headed by the Director of Equal Employment Compliance. It reviews and renders decisions in appeals cases submitted to Headquarters for formal action and directs the staff work required for complete development and presentation of the record, insuring that investigations and conclusions of appeals examiners agree with established policy and guidelines in accordance with Executive Order 11478, as amended. It directs further field investigation and development of the record as necessary and confers with representatives of aggrieved employees and with postal officials when appropriate. It also plans and directs a positive contract compliance program throughout the Postal Service and prescribes the manner and method to govern enforcement and full compliance with Executive Order 11246 as amended. It is responsible for gaining the cooperation and support of contractors with the Postal Service to assure their compliance. It directs field investigative activities in aggrieved situations and renders formal decisions.

(7) *Office of Management Services.* The Office of Management Services is headed by the Director of Management Services. It serves as the principal advisor and central analytical staff on organization matters and the evaluation and design of management systems and services. It plans and conducts service-wide studies of organization and management systems; it recommends changes to correct identified management deficiencies and designs and installs improved management systems and methods. It designs and administers a service-wide directives and publications distribution program and conducts special systems studies as directed. It is responsible for the development and operation of a service-wide management improvement program and maintains liaison with other Federal agencies and private industry with regard to advanced management techniques.

#### § 222.4 Planning Department.

The Planning Department is headed by the Assistant Postmaster General, Planning, who reports directly to the Postmaster General. It is responsible for business planning and strategic studies. It has the principal responsibility for insuring that comprehensive and effective plans are developed. This includes: forecasting the internal and external Postal Service environment; assisting top management in developing goals and objectives in the context of those forecasts; assuring that supporting plans are developed to meet approved objectives; and

evaluating progress in meeting plans and objectives. It is also responsible for identifying alternative business strategies and for conducting studies on which to base recommendations to the Postmaster General.

#### § 222.5 Research Department.

The Research Department is headed by the Assistant Postmaster General, Research, who reports directly to the Postmaster General. It is concerned with development of new techniques and has overall responsibility for the research and advanced development work done by the Postal Service. It is responsible for keeping abreast of and evaluating state-of-the-art concepts for application to Postal Service requirements, and for maintaining contact with top level representatives of industry, education, appropriate Government agencies, and foreign postal services to obtain new concepts, ideas, and approaches related to postal research and development. It conducts original research to develop and evaluate state-of-the-art concepts and approaches to mechanization and methods for collection, processing, transportation, and delivery of mail. It is also responsible for design and development of new equipment based on state-of-the-art technology. It operates the Postal Laboratory, conducting all phases of research up to and including simulated live-mail testing environment.

#### § 222.6 Communications and Public Affairs Department.

The Communications and Public Affairs Department is headed by the Assistant Postmaster General, Communications and Public Affairs, who reports directly to the Postmaster General. It is responsible for the interchange of information with employees and the public and for assuring that all information disseminated is consistent with management policies and practices. This includes responsibility for all advertising activities, research relating to the implementation and effectiveness of advertising programs, and those design activities that relate to Postal Service visual appearance identification. It is responsible for all phases of the philatelic program and serves as liaison with the Citizens Stamp Advisory Committee.

#### § 222.7 Government Relations Department.

The Government Relations Department is headed by the Executive Assistant to the Postmaster General, Government Relations. It is responsible for cooperation between the U.S. Postal Service and Members of Congress, other Federal agencies within the executive branch, the White House, and other officials at all levels of State and local government. It advises Postal Service officials on legislative and other policy matters in public or political areas involving congressional committees or individual Congressmen. It maintains liaison with Members of Congress and their staffs for the purpose of consulting and providing information as requested

on specific legislation and on Postal Service policies and operations, and (except for the Law Department, as to matters within its responsibility) is the Postmaster General's sole spokesman in this regard.

**§ 222.8 Inspection Service.**

The Inspection Service is headed by the Assistant Postmaster General and Chief Postal Inspector, who reports directly to the Postmaster General. The Inspection Service is responsible for protection of the mails, enforcement of postal laws, plant and personnel security, postal inspection, and internal audits. The Inspection Service, in accordance with applicable policies, regulations, and procedures, carries out investigations and presents evidence to the Department of Justice and U.S. attorneys in investigations of a criminal nature. It also undertakes operating inspections and audits for the Postal Service. The Assistant Postmaster General and Chief Postal Inspector acts as security officer and defense coordinator for the Postal Establishment, maintaining liaison with other investigative and law enforcement agencies of the Government.

**§ 222.9 Consumer Affairs Department.**

The Consumer Affairs Department is headed by the Consumer Advocate, who reports directly to the Postmaster General. The Consumer Advocate is the spokesman for the individual mail user. He provides the Postmaster General with an independent evaluation of mail service to the individual customer. He also expedites action on customer inquiries and complaints and is responsible for seeing that the responsible office takes corrective action. He makes recommendations for policy changes to improve the individual user's mail service and acts as liaison with consumer groups.

**§ 222.10 Law Department.**

(a) The Law Department is headed by the Senior Assistant Postmaster General and General Counsel, who reports directly to the Postmaster General.

**(b) The Law Department:**

(1) Serves as legal adviser to the Postmaster General, the Deputy Postmaster General, and the entire Postal Service; this includes making rulings, giving advisory opinions, drafting or approving legal instruments, and representing the Service in administrative proceedings and in judicial proceedings as authorized;

(2) Interprets laws in relation to the Postal Service;

(3) Institutes and maintains administrative proceedings in the consumer protection area;

(4) Prepares the legislative program of the Postal Service, and prepares and submits reports and testimony on all legislation introduced in Congress that would affect the Postal Service;

(5) Is responsible for publication of regulations in the *FEDERAL REGISTER*;

(6) Manages the regional and field programs that are under the jurisdiction of the General Counsel and op-

erates directly the field program in the area of labor relations law;

(7) Administers activities under the Tort Claims Act, and other personal injury and physical loss claims;

(8) Maintains liaison with other elements of the Government on legal matters and determines questions concerning legal relations between the Postal Service and Government agencies;

(9) Renders legal services concerning labor relations and standards, employment policy, and personal security;

(10) Furnishes legal support in connection with all procurement and contracting activities;

(11) Performs legal services in connection with proceedings before the Postal Rate Commission;

(12) Acts as agent for the receipt of legal process on behalf of the Postal Service and the Postmaster General and other Headquarters officials resulting from the performance of their official functions;

(13) Provides legal services in connection with denials and revocations of second-class mailing privileges in proceedings before hearing examiners and the Judicial Officer;

(14) Represents Postal Service Contracting Officers before the Board of Contract Appeals;

(15) Administers the Ethical Conduct Program; and

(16) Interprets postal treaties and conventions.

**§ 222.11 Judicial Officer.**

(a) The Judicial Officer is an independent officer who acts for the Postmaster General in the performance of quasi-judicial and other functions. He administratively supervises hearing examiners and hears appeals from their decisions. He serves with them on the Board of Contract Appeals, of which he is ex officio Chairman.

(b) The Judicial Officer has authority to:

(1) Execute in his own name the final decision and order in proceedings authorized by section 1717 of title 18, and by sections 3001(a), 3003, 3004, 3005, and 3007 of title 39, United States Code, appeals from administrative denial, suspension or revocation of second-class mail permits, administrative proposals to refuse to rent, to renew the rental of, or to close a Post Office Box and other proceedings authorized by Postal Service Regulations to be brought before the Hearing Examiner or the Judicial Officer;

(2) Modify, suspend, or rescind any action heretofore taken (including any order issued) or which hereafter may be taken by the Judicial Officer pursuant to the powers, functions, authority, and duties vested in the Postmaster General and the Postal Service with respect to the matters covered by subparagraph (1) of this paragraph;

(3) Preside at the reception of evidence in proceedings where expedited hearings are requested by either party or are provided in rules of practice, and issue a tentative decision in such cases;

(4) Revise or amend the rules governing eligibility to practice before the Postal Service and to revise or amend the Postal Service rules of practice governing proceedings conducted under the Administrative Procedure Act (5 U.S.C. chapters 5 and 7) and in other proceedings in which the Judicial Officer is authorized to execute a final decision and order;

(5) Name and delegate authority to an Acting Judicial Officer;

(6) Exercise jurisdiction over the Hearing Examiner for administrative purposes only, but not to direct or participate in the initial decisions of Hearing Examiners in any proceeding;

(7) Exercise such other authority as the Postmaster General delegates him.

(c) Decisions and orders of the Judicial Officer made under the delegated authority shall be the final Postal Service decisions and orders except that the Judicial Officer may refer any proceeding to either the Postmaster General or the Deputy Postmaster General for final decision. The Judicial Officer does not determine the constitutionality of statutes nor the validity of Postal Service regulations. He is responsible only to the Postmaster General. The Law Department and the Postal Inspection Service do not participate in or advise as to the decisions of the Judicial Officer in any proceeding.

**(d) Hearing examiners:**

(1) Hearing examiners are appointed and qualified as prescribed by law (5 U.S.C. 3105). They preside at administrative hearings involving alleged violations of postal laws or conflicts arising over second-class mail permits and other proceedings as provided by Postal Service regulations.

(2) Initial decisions prepared by hearing examiners become final Postal Service decisions unless an appeal is taken to the Judicial Officer. Hearing examiners do not determine the constitutionality of statutes nor the validity of Postal Service regulations.

(3) The hearing examiners are under the jurisdiction of the Judicial Officer for administrative purposes only, in the same manner as are hearing examiners assigned to independent regulatory commissions.

**(e) Board of Contract Appeals:**

(1) The Board of Contract Appeals is the authorized representative of the Postmaster General to hear and decide appeals from decisions of contracting officers when and to the extent such appeals are expressly authorized by the terms of any contract to which the Postal Service of the United States is a party. The chairman of the Board of Contract Appeals is authorized to promulgate rules of procedure for the Board of Contract Appeals. These duties shall be performed by the members of the Board of Contract Appeals in addition to their regular duties in the Postal Service.

(2) The Board of Contract Appeals for the Postal Service is composed of the Judicial Officer, who is the permanent chairman, and the Chief Hearing Examiner, who shall be a permanent member. One of the Hearing Examiners of the

Postal Service appointed pursuant to the provisions of 5 U.S.C. 3105 designated by the Judicial Officer on an acting basis.

## PART 223—POSTAL REGIONS

- Sec.  
 223.1 Designation of Postal Regions.  
 223.2 Regional Postmasters General.  
 223.3 Regional Mail Processing Department.  
 223.4 Regional Customer Services Department.  
 223.5 Regional Support Department.  
 223.6 Regional Communications and Public Affairs Department.  
 223.7 Regional Counsel.  
 223.8 Metropolitan Area Managers, Metropolitan Center Managers, and District Managers.  
 223.9 Conversion of Terms.

**AUTHORITY:** The provisions of this part 223 issued under authority of 39 U.S.C. 201, 401, 402, 403, 404 as enacted by Public Law 91-375, 84 Stat. 719.

### § 223.1 Designation of Postal Regions.

The five Postal Regions are:

(a) The New York Metropolitan Region, encompassing the ZIP code areas 068-079, 088-098, 100-119, and 124-127 in the States of Connecticut, New Jersey, and New York, and also Puerto Rico and the Virgin Islands, with regional headquarters in New York City.

(b) The Eastern Region, encompassing the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and also the District of Columbia, excepting, however, the ZIP code areas in the States of Connecticut, New Jersey, and New York that are included in the New York metropolitan region, with regional headquarters in Philadelphia, Pa.;

(c) The Southern Region, encompassing the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and ZIP code area 679 in Kansas, with regional headquarters in Memphis, Tenn.;

(d) The Central Region, encompassing the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Ohio, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, excepting, however, ZIP code area 679 in Kansas, with regional headquarters in Chicago, Ill.; and

(e) The Western Region, encompassing the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, and Guam and the Pacific Islands, including the trust territory, with regional headquarters in the San Francisco, Calif. area.

### § 223.2 Regional Postmasters General.

(a) Each Postal Region is headed by a Regional Postmaster General, who reports to the Deputy Postmaster General, and is responsible for:

(1) The operation, within policy guidelines and directives issued by Headquarters, of all postal installations (except those installations reserved to Headquarters) within his region, so as to

accomplish high quality and efficient postal service;

(2) Efficient implementation of Headquarters policies and programs within his region; and

(3) Reporting information that is necessary for planning and action by Headquarters.

(b) Each Regional Postmaster General is authorized to exercise the functions and powers of the Postal Service within his region (except those functions and powers reserved to Headquarters) with respect to postal operations. This includes authority over:

(1) Appointment, promotion, transfer, discipline, and dismissal or other separation of Postal Service personnel within his region under guidelines and directives issued by Headquarters;

(2) Formulation and submission of regional budgets to Headquarters; and

(3) Planning and implementation, under guidelines and directives issued by Headquarters, of regional capital improvement and maintenance programs.

### § 223.3 Regional Mail Processing Department.

(a) The Regional Mail Processing Department is headed by the Assistant Regional Postmaster General, Mail Processing, who reports to the Regional Postmaster General. The Regional Mail Processing Department, within guidelines and directives from headquarters, is responsible for: Identifying current and future mail processing and transportation requirements and developing plans to meet those requirements; developing budgets to support its activities; managing the procurement and utilization of transportation services within the region; providing functional and technical guidance on engineering problems; directing and monitoring the facilities and mechanization programs within the region, including preparation of the regional capital plan and provision of engineering and maintenance services; providing functional guidance to distribution activities, except bulk mail network facilities, within the region; measuring the performance of operating units and providing assistance to improve quality and productivity; and providing liaison between Headquarters mail processing personnel and mail processing personnel at postal facilities.

(b) Within the Regional Mail Processing Department there are two divisions whose heads report to the Assistant Regional Postmaster General, Mail Processing, as follows:

(1) *Engineering Division.* The Engineering Division is headed by the Director, Engineering. It provides a broad scope of services to operating management to assist them in meeting schedule, quality, productivity, and cost goals. It is responsible for providing, within the region, engineering services and technical guidance, primarily in process, maintenance, and industrial engineering; planning, managing, and monitoring the regional facilities and mechanization programs, to include preparing the regional capital plan; managing and monitoring the regional productivity improvements

programs; providing program analysis and evaluation; and providing regional coordination with Headquarters. It also has responsibility for liaison with the Public Building Service (P.B.S.), General Services Administration, Corps of Engineers, consultants, and private engineering, contracting, and manufacturing firms, and for local real estate transactions. In carrying out its responsibilities it develops plans and prepares schematic drawings of the layout of mail processing systems and activities; provides mechanization design drawings and systems manuals for new or modernized facilities; provides in-house drafting capability; develops technical criteria with regard to space requirements for the layout of equipment, conducts space requirements determinations, provides functional design specifications for facilities projects, prepares project and budget authorizations for mechanization and facilities projects, except those included in national systems; conducts studies to improve quality productivity and reduce costs; conducts basic studies to improve techniques for development of performance expectancy; coordinates the development of basic planning data and approval of the data for regional requirements; directs the installation and phase-in of mechanization and postal equipment; monitors the productivity of mail processing, and develops comparative analyses of that activity, providing performance input to the budget review process; applies requirements and standards of training for field maintenance personnel; and participates in the identification of problems arising from maintenance of buildings, recommending solutions for these problems.

(2) *Logistics Division.* The Logistics Division is headed by the Director, Logistics. It is responsible for insuring efficient and expeditious transportation of mail within the region; administering the regional systems; procuring interregional transportation as required; planning the regional mail network; insuring effective use of the Postal Service transport capability; continually reviewing and evaluating the distribution procedures used in regional mail processing activities; insuring correct and effective procurement and administration of transportation services by regional, district, and postal installation personnel within their areas of authority; and maintaining liaison with large mailers, transportation companies, and contractors. In carrying out its responsibilities it develops, implements, and monitors regional logistics services; monitors and reviews transportation systems; procures contract vehicle services, as required to fulfill service demands; establishes regional transportation schemes; conducts on-site review of the distribution, routing, and dispatch procedures used in regional mail processing activities, developing recommendations for improvement and directing their implementation; provides regional coordination with Headquarters on transportation matters, directing the implementation of Headquarters policy guidelines and directives in this respect; provides required



regional mail transportation and distribution services, including planning, administration, systems implementation, and performance evaluation; and controls mail equipment services.

§ 223.4 Regional Customer Services Department.

(a) The Regional Customer Services Department is headed by the Assistant Regional Postmaster General, Customer Services, who reports to the Regional Postmaster General. The Customer Services Department is, within guidelines and directives from Headquarters, responsible for: managing Postal Service programs relating to sales management, delivery management, and retail management in the region; establishing policies and procedures for staff support and assistance to field customer service representatives and retail and delivery programs; developing studies and analyses in the area of sales, and retail and delivery management; developing budgets to support its activities; approving allocation of resources for delivery vehicle requirements in the region; and providing guidance in establishment and implementation of Postal Service sales, retail, and delivery programs in the region.

(b) Within the Customer Services Department there are three divisions whose heads report to the Assistant Regional Postmaster General, Customer Services, as follows:

(1) *Sales Division.* The Sales Division is headed by the Director, Sales. It is responsible for: advising the Assistant Regional Postmaster General, Customer Services, in the areas of customer programs, major account sales and market analysis; generating revenue through the sale of new and existing Postal Service products; promoting customer cooperation; responding to the service needs of major customers; providing a regional channel of communication with major mail users; establishing and evaluating postal products and levels of postal service; and providing staff support to local analysis of service. In carrying out its responsibilities it maintains regular contact with large mail users; establishes regional sales and revenue objectives; participates with Headquarters management in developing an annual sales plan and prepares progress reports to management on that plan; regularly audits effectiveness in meeting sales objectives; organizes sales meetings, training programs, and meetings with other Postal Service officials to exchange customer information; works with large postal users to implement programs of mutual benefit to the mailer and the Postal Service; assists Headquarters in setting regional and national program objectives; sets cost saving and revenue targets for subordinate units; utilizes Headquarters support to implement training and career development programs for customer service representatives; prepares progress reports to regional management on customer cooperation in relation to stated financial objectives; conducts effectiveness audits of customer cooperation; supports national customer service programs, seeking

cooperation from the general public; responds to service needs of major customers in conjunction with Headquarters and customer service representatives; conducts regional customer service meetings and seminars with Headquarters support; provides program support for the Postal Customer Council in the region; serves as the principal regional channel of communication on technical postal matters with major mail users; works with Headquarters staff responsible for the National Postal Forum in securing customer participation and participates in special projects designed to foster cooperation by major customers; analyzes operating reports and reviews statistics for the region and subordinate units; assists in the design and implementation of criteria for market and service measurement as requested; provides diagnostic testing of specific customer mailing systems and situations on a demand basis; and analyzes customer complaints, providing summary reports on these complaints.

(2) *Delivery Division.* The Delivery Division is headed by the Director, Delivery. It is responsible for advising the Assistant Regional Postmaster General, Customer Services, in the development and management of delivery and collection programs and vehicle services. It has functional and program responsibility for regional postal carriers. It is also responsible for: implementing regional standards for postal delivery; creating budgets for delivery programs; establishing and directing, through local post offices, a region-wide program of mail collection; and providing for the control and utilization of Government owned, contract, and hired postal vehicles. It has overall responsibility for fleet maintenance management, including the use of modern technology to improve utilization and vehicle safety and environmental protection programs. In carrying out its responsibilities it maintains liaison with technical and advisory groups in the area of delivery systems and technology; works with the Sales Division to determine service performance, particularly as it relates to delivery functions; conducts studies and formulates plans relating to delivery requirements and methods of delivery; works with Headquarters Support Group, the Employee Relations Division, and employee organizations to implement training and development programs to improve performance of collection and delivery personnel; responds to and follows through on customer complaints concerning collection and delivery; reviews collection schedules and procedures and initiates changes to improve service and efficiency; prepares financial and budget reports concerning fleet management; establishes vehicle safety requirements, payload capacity, and transportation performance standards; establishes, in conjunction with the Regional Mail Processing Department, other divisions in the Regional Customer Services Department, and local post offices, the number of vehicle units and works with the Administration Division to procure these units; works with Headquarters in long-

range planning to predict vehicle obsolescence and long-range budgetary requirements; and develops regional maintenance policies consistent with national programs.

(3) *Retail Division.* The Retail Division is headed by the Director, Retail. It is responsible for advising the Assistant Regional Postmaster General, Customer Services, on the utilization of postal lobby facilities and employees, lobby program management and promotion, self-service postal facilities, and contract stations. It is also responsible for mechanization of retail postal services; the management and maintenance program of mechanized postal vending equipment; justification and site location surveys for establishment of contract stations, mobile retail outlets, and self-service postal units; and improvements and operating changes in the mechanized and self-service vending equipment programs. It is responsible for point-of-sale retail transactions and merchandising activities in postal facilities, contract stations, and automated facilities, and has functional and program responsibility for all window clerks within the region. In carrying out its responsibilities it conducts a program of retail point-of-sale merchandising and works with the Sales Division to develop, test, and implement new lobby services; in conjunction with the Assistant Regional Postmaster General, Customer Services, designs a retail services budget for lobby improvement, expansion, utilization, and promotion; with the assistance of the Employee Relations Division and employee organizations, implements training programs within the region to upgrade the level of window service; participates with the Headquarters Customer Services Group in studies aimed at improving service and work methods; works with equipment contractors and Postal Service engineers to improve customer support and window equipment; directs an on-going program of lobby improvement; establishes a long-range plan and budget for the retail facilities programs; conducts studies in cooperation with Headquarters to identify effective improvements in lobby design and utilization; participates in the installation and testing of new lobby services and products; develops seasonal and special promotional programs in support of postal products; works with the Sales Division to identify postal and nonpostal uses of lobby facilities; assists in marketing, testing, and promotion of new postal services; supervises a program for the maintenance management of mechanized postal vending equipment and justification and site location service; sets up contract stations, mobile retail units, and self-service postal units and directs the maintenance management program for these facilities; and recommends and institutes improvements and operating changes for mechanized and self-service vending equipment.

§ 223.5 Regional Support Department.

(a) The Regional Support Department is headed by the Assistant Regional Postmaster General, Support. It is, within

guidelines and directives from Headquarters, responsible for managing and directing the financial, personnel and administrative functions at the regional level, including the equal employment compliance positive action program; and developing budgets to support its activities. It also provides liaison between Headquarters support personnel and support personnel at postal facilities.

(b) Within the Regional Support Department there are three divisions and an office whose heads report to the Assistant Regional Postmaster General, Support, as follows:

(1) *Administration Division.* The Administration Division is headed by the Director, Administration. It has responsibility for providing central administrative support for procurement and distribution of supplies and equipment; and providing regional office personnel and management services. In carrying out its responsibilities it organizes and plans procurement of supplies and equipment for regional office and regional field activities; budgets and negotiates contracts for local procurements and arranges for storage and distribution as required; arranges local distribution of postal equipment and accountable paper which has been procured centrally by Headquarters; maintains inventory controls of supplies and equipment held in storage; maintains records of accountable property for regional headquarters offices; provides office services (supplies, printing, space) for the regional office; and provides personnel services for the regional office.

(2) *Employee Relations Division.* The Employee Relations Division is headed by the Director, Employee Relations. It is responsible for: Providing direction in matters pertaining to employee relations within the region in accordance with policies and goals established by Headquarters, and with legal and regulatory requirements; and directing the implementation and auditing of employee relations plans, policies, standards, and procedures within the region, acting through metropolitan center, metropolitan area, and district offices. In carrying out these responsibilities it provides policy direction in employee relations matters throughout the region within the framework of policies determined at the Headquarters level; provides direction, advice, counsel, and assistance through metropolitan center, metropolitan area, and district officials to all post offices and installations within the region for labor relations, manpower development, and employee services, including wage and salary administration, fringe benefits, personnel environment, personnel information, accident prevention, and health services; directs implementation of applicable executive orders pertaining to employee relations within the region as prescribed by national policies; directs implementation of plans, policies and procedures in metropolitan area, metropolitan center and district offices; maintains a system to assure compliance with the established Postal Service employee relations standards as applicable within

the region; implements requirements for contract administration and grievance administration; and maintains effective communication with Postal Service employees in the region, through metropolitan center, metropolitan area, and district offices, on all matters pertaining to employee relations.

(3) *Controller.* The Controller is responsible for providing accounting services, budget services, and mail classification services to management and to field organizations; providing financial and nonfinancial analysis services to management and to field organizations, and developing and maintaining management information systems for the regional staff. In carrying out these activities the Controller and his staff provide regional accounting services including operation of the accounting systems and administration of the payroll; provide regional budget services, including preparation and issuance of budget calls, and development of regional budgets; coordinate approval of financial operating plans; administer and control approved financial plans by issuing budget and manpower authorization notices to metropolitan area managers, metropolitan center managers and district managers; monitor and interpret regulations regarding the admissibility and classification of mail, insuring that proper postage is collected and providing assistance and advice to the field in this respect; provide field services for the maintenance of on-going and proposed information systems; assist regional staff and field organizations in identifying and obtaining information requirements; perform financial and nonfinancial analytical services; and provide regional staff with financial and performance evaluations.

(4) *Office of Equal Employment Compliance.* The Office of Equal Employment Compliance is headed by the Director of Equal Employment Compliance. It is responsible to, and is supervised by, the Assistant Regional Postmaster General, Support, under technical guidance and direction from the Director, Equal Employment Compliance, at Headquarters. It is responsible for planning and carrying on a program to achieve full implementation of Executive Order 11246, as amended. In carrying out its responsibilities it: Provides policy guidance and direction to the contract compliance examiners; implements the regional contract compliance program in accordance with guidelines issued by Headquarters; directs special investigations of formal complaints received by the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance and the Postal Service; reviews compliance examination reports and takes action, if required, in accordance with program directives promulgated by the Director, Equal Employment Compliance; reviews statistical and economic reports developed by the contract compliance examiners and other Government agencies in terms of their impact upon local contractors; contacts minority group organizations to obtain infor-

mation relating to the policies and procedures of a specific company; submits reports of complete reviews, including findings, recommendations, and proposed corrective action, to the Director, Equal Employment Compliance, for transmittal to the Department of Labor; informs the Director, Equal Employment Compliance, of problems and developments affecting contractual arrangements between the Postal Service and contractors; and trains and develops contract compliance examiners. In accordance with Executive Order 11478, as amended, it provides program guidance to field installations with respect to procedures for equal employment appeals cases of Postal Service employees; reviews, determines, and evaluates facts in equal employment opportunity cases appealed to the Regional Postmaster General; reviews equal employment opportunity cases to assure that all procedural requirements have been met; and directs field investigative activities in complaint situations.

#### § 223.6 Regional Office of Communications and Public Affairs.

The Regional Office of Communications and Public Affairs is headed by the Director, Communications and Public Affairs, who reports directly to the Regional Postmaster General. It is responsible for preparing and disseminating news and information materials; providing guidance to communications personnel throughout the region; and maintaining liaison with media representatives and other informational outlets. In carrying out these responsibilities it manages the distribution of news and information materials; develops and distributes guides and directives for the preparation of news and information material; organizes and conducts communications training meetings (seminars, discussions, functional sessions) for regional staff and facility personnel; arranges visual aids and exhibit materials of an informational nature; prepares and distributes regional newsletters for external media representatives; contributes to internal employee newsletters; visits subordinate postal facility organizations to review and comment on local communications programs; prepares speeches for regional officials; maintains liaison with information outlets; responds to inquiries from media and civic representatives; and prepares budgets for personnel, materials, and travel expenses, as well as other costs concerned with communications.

#### § 223.7 Regional Counsel.

(a) The Regional Counsel, who reports directly to the Regional Postmaster General, directs, under the professional guidance and supervision of the General Counsel, a staff of attorneys engaged in providing legal advice, opinions, services, and support for the Regional Postmaster General, other regional officers and executives, and postmasters within the region, in all areas except labor relations matters, and such other areas as may be specifically reserved by the General Counsel.



(b) *The Regional Counsel.* (1) Furnishes legal advice, opinions, and support to regional officials and postmasters, the Inspection Service, and Postal Data Centers in the application of Federal and State statutes or local ordinances insofar as they affect the Postal Service;

(2) Reviews and interprets contracts, other legal documents and instruments, and other undertakings which affect the Postal Service;

(3) Serves as a member of a regional contract negotiation team whenever the Contracting Officer feels the size and complexity of the procurement action warrants its use;

(4) Represents postal contracting officers in cases before the Board of Contract Appeals as may be directed by the General Counsel;

(5) Acts for the General Counsel in the review of tort claims by and against the Postal Service, and adjudicates such claims within limits set by the Regional Postmaster General and the General Counsel;

(6) Has authority to concur with the head of a procuring activity in his Region in determining appropriate action on protests against award of contract in accordance with the provisions of § IIa 6(c) of the Interim Regulations of the Postal Service pertaining to procurement of property and services (36 F.R. 12452, June 30, 1971), as the same may be amended from time to time;

(7) As directed by the General Counsel, assists labor attorneys of the Postal Service in connection with labor disputes and related labor matters;

(8) Conducts administrative hearings pursuant to 39 CFR 916 and renders decisions following the conclusion of such hearings on alleged violations of the Anti-Pandering Law (39 U.S.C. 3008);

(9) Reviews requests for waiver of claims against postal employees based upon overcompensation;

(10) Reviews and recommends appropriate action to the Regional Postmaster General to sustain, modify, or reverse assessments against Postal Service employees for loss or damage of Government-owned or leased property as a result of gross carelessness or negligence of such employees in those cases where such action is within the authority of the Regional Postmaster General;

(11) Rules on delivery of disputed mail;

(12) Furnishes legal advice and opinions to the Regional Postmaster General relative to the Code of Ethical Conduct for Postal Employees (P.S. Publication 73) and assists in the administration of that code;

(13) Furnishes legal advice and opinions to regional officials in the application of statutes and regulations pertaining to the admissibility and classification of mail;

(14) Acts as agent for the receipt of legal process on behalf of the Regional Postmaster General and other regional headquarters officials resulting from the performance of their official functions;

(15) As directed by the General Counsel, provides legal services in connection

with denials and revocations of second-class mailing privileges in proceedings in his region before hearing examiners and the Judicial Officer; and

(16) Acts as liaison with the U.S. Attorney in suits against the U.S. Postal Service, except in labor relations matters.

(c) The duties and responsibilities of Regional Counsel shall not be changed by the Regional Postmaster General without the prior approval of the Senior Assistant Postmaster General and General Counsel.

#### § 223.8 Metropolitan Area Managers, Metropolitan Center Managers, and District Managers.

(a) Each Metropolitan Area Manager, Metropolitan Center Manager and District Manager reports to the Regional Postmaster General, and is responsible for managing and directing the activities of a functional staff and the managers of sectional center facilities in the implementation of Postal Service programs and policies, in order to assure effective and efficient mail processing and delivery operations within the metropolitan area, metropolitan center, or district.

(b) Each of these officials, for his metropolitan area, metropolitan center, or district as the case may be:

(1) Provides policy and program direction for all support activities and operating facilities;

(2) Evaluates the operations of postal installations and modifies operational procedures if required;

(3) Directs the preparation of and administers the budget;

(4) Provides guidance for the preparation of operating plans and approves and implements these plans;

(5) Provides management control for retail sales and delivery programs;

(6) Provides direction and control for distribution activities;

(7) Provides policy guidance for capital requirements;

(8) Establishes transportation network requirements and coordinates with regional logistics personnel on transportation networks going beyond metropolitan area, metropolitan center, or district boundaries; and

(9) Implements management development programs established by headquarters.

#### § 223.9 Conversion of terms.

(a) In any regulation of the Postal Service outside Parts 211, 212, 213, 222, 223, and 235 of this subchapter, unless the context otherwise requires, references to the:

(1) Regional Director shall be deemed to mean the Regional Postmaster General;

(2) Director, Personnel Division, shall be deemed to mean the Assistant Regional Postmaster General, Support;

(3) Director, Post Office and Delivery Services Division, shall be deemed to mean the Assistant Regional Postmaster General, Customer Services;

(4) Director, Finance Division, shall be deemed to mean the Assistant Regional Postmaster General, Support;

(5) Director, Facilities Division, shall be deemed to mean the Assistant Regional Postmaster General, Support, with regard to matters concerning procurement and supply; and Director, Facilities Division, shall be deemed to mean the Assistant Regional Postmaster General, Mail Processing, with regard to matters concerning engineering and real estate.

(6) Director, Logistics Division, shall be deemed to mean the Assistant Regional Postmaster General, Mail Processing;

(7) Director, Industrial Engineering Division, shall be deemed to mean the Assistant Regional Postmaster General, Mail Processing;

(8) Director, Marketing Division, shall be deemed to mean the Assistant Regional Postmaster General, Customer Services.

(b) The same conversion of terms applied in paragraph (a) of this section to officers and executives enumerated there shall apply to the groups or divisions which they head.

(c) Where the conversion rules stated in paragraph (a) of this section do not explicitly cover a particular officer, employee, or organizational unit, references shall be deemed to refer to the officer, employee, or organizational unit in the new organization performing functions most similar to those performed by the corresponding officer, employee, or organization unit in the old organization.

## PART 235—DEFENSE DEPARTMENT LIAISON

Sec.

235.1 Postal Service to the Armed Forces.

235.2 Civil Defense.

**AUTHORITY:** The provisions of this Part 235 issued under 39 U.S.C. 401(2), 402, 403, 404, as enacted by Public Law 91-375, 84 Stat. 719.

### § 235.1 Postal Service to the Armed Forces.

(a) Publication 38, Postal Agreement Between the Post Office Department and the Department of Defense, defines the Postal Service's responsibilities for providing postal service to the Armed Forces.

(b) The Assistant Postmaster General, Inspection Service, is responsible for military liaison.

(c) Postal inspectors provide liaison between postmasters and military commanders, visit military installations as required, and make any necessary recommendations.

### § 235.2 Civil Defense.

(a) Mission: The prime objective of postal civil defense planning is to maintain or restore essential postal service in a national emergency.

(b) Defense Coordinator: The Assistant Postmaster General, Inspection Service, is designated Defense Coordinator for the Postal Service. As Defense Coordinator, he provides general direction and coordination of the national civil defense and defense mobilization programs.

(c) Postmaster General emergency line of succession: (1) Deputy Postmaster General; (2) Senior Assistant

Postmaster General, Support Group; (3) Senior Assistant Postmaster General, Mail Processing Group; (4) Senior Assistant Postmaster General, Customer Services Group; (5) Senior Assistant Postmaster General and General Counsel; (6) Assistant Postmaster General, Inspection Service.

(d) Group, department, and field lines of succession: Each group and department shall establish its own internal line of succession to provide for continuity under emergency conditions. Each Regional Director, Postal Data Center Director, Inspector in Charge, and postmaster at first-class post offices shall prepare a succession list of officials who will act in his stead in the event he is incapacitated or absent in an emergency. Orders of succession shall be shown by

position titles; those of the inspection division by names.

(e) Field responsibilities: Postmasters and heads of other installations shall:

(1) Carry out civil defense assignments, programs, etc., as directed by regional officials.

(2) Comply with, and cooperate in community civil defense plans (including exercise) for evacuation, take cover and other survival measures prescribed for local populations.

(3) Designate representatives for continuing liaison with local civil defense organizations where such activity will not interfere with normal duties.

(4) Endeavor to serve (at their own option) as members on the staff of the local civil defense director, provided such service will not interfere with their pri-

mary postal responsibility in an emergency.

(5) Authorize and encourage their employees to participate voluntarily in nonpostal preemergency training programs and exercises in cooperation with States and localities.

#### **PART 821—OFFICE OF POSTMASTER GENERAL AND DEPUTY POSTMASTER GENERAL**

All provisions in Subchapter L (36 F.R. 4755) are revoked.

(39 U.S.C. 201, 202, 203, 204, 206, 401(2), 402, 403, 404)

**DAVID A. NELSON,**  
*Senior Assistant Postmaster  
General and General Counsel.*

[FR Doc.71-14564 Filed 10-5-71;8:45 am]